

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

Authority: A.R.S. § 32-101 et seq.

Chapter 30, consisting of Sections R4-30-101 through R4-30-126, R4-30-201 through R4-30-284, and R4-30-301 through R4-30-307, adopted effective August 3, 1983.

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ARTICLE 1. GENERAL PROVISIONS

R4-30-101. Definitions

The following definitions apply in this Chapter unless the context otherwise requires:

1. "Act" means the Technical Registration Act, A.R.S. Title 32, Chapter 1.
2. "Active engagement" means actually practicing or providing architectural, assaying, engineering, geological, landscape architectural, or land surveying services.
3. "Bona fide employee" means:
 - a. Any person employed by a town, city, county, state, or federal agency working under the direction or supervision of a registrant;
 - b. Any person employed by a business entity and working under the direct supervision of a registrant who is also employed by the same business entity; or
 - c. Any person working under the direct supervision of a registrant who:
 - i. Receives direct wages from the registrant;
 - ii. Receives contract compensation from the registrant; or
 - iii. Receives direct wages from the project prime professional who has a contract with another registrant and whose work product is the responsibility of the latter registrant.
4. "Branch" means a specialty area within the category of engineering.
5. "Category" means the professions of architecture, assaying, geology, engineering, landscape architecture, and land surveying.
6. "De minimis violations" means violations of Board statutes or rules that do not present a threat to public welfare, health, or safety.
7. "Detached single family dwelling" as used in the Act means a single family dwelling unit such as a house which is structurally and physically separate from all other family dwelling units. This does not mean any single family dwelling unit which is part of a multiple dwelling unit building such as a duplex, townhouse, apartment building, condominium or cooperative. The term "detached single family dwelling" also includes all subsidiary buildings, structures and improvements such as garage, storage areas, swimming pool, and landscaping.
8. "Direct supervision" means a registrant's critical examination and evaluation of a bona fide employee's work product, during and after the preparation, for purposes of compliance with applicable laws, codes, ordinances, and regulations pertaining to professional practice.
9. "Experience" is classified as follows:
 - a. "Subprofessional experience" means task work done under direct supervision and not falling within the definition of professional experience, including but not limited to time spent as a rodman, chainman, recorder, instrument technician, survey aide, technician, clerk of the works, or similar work.
 - b. "Professional experience" means work calling for substantial technical knowledge, skill and responsibility as well as a lesser degree of supervision.
 - c. "Responsible charge experience" means work in the field or in the office, where the applicant had responsibility for the direction of the work and its successful accomplishment and where the applicant had to make professional decisions without relying on advice or instructions from or first referring the decisions for approval to a superior.
 - d. "Design experience" means professional experience, including work defined under "responsible charge experience," where the applicant must fulfill the requirements of local circumstances and conditions and yet not violate any of the requirements of the profession and ensure that the executed plan meets the purpose for which it was designed.
10. "Federal agency" means the United States or any agency or instrumentality, corporate or otherwise, of the United States.
11. "Good moral character and repute" means that the registration or certification applicant:
 - a. Has not been convicted of a class 1 felony as defined in A.R.S. § 13-601(A).
 - b. Has not been convicted of a felony or misdemeanor if the offense has a reasonable relationship to the functions of the employment or category for which the registration, certification, or designation is sought;
 - c. Has not, within five years of application for registration or certification, committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence, or incompetence reasonably related to the candidate's proposed area of practice;
 - d. Is not currently incarcerated in a penal institution;
 - e. Has not engaged in fraud or misrepresentation in connection with the application for registration, certification, or related examination;
 - f. Has not had a registration or certification revoked or suspended for cause by this state or by any other jurisdiction, or surrendered a professional license in lieu of disciplinary action;
 - g. Has not practiced without the required technical registration or certification in this state or in another jurisdiction within the two years immediately preceding the filing of the application for registration or certification; and
 - h. Has not, within five years of application for registration or certification, committed an act that would

- constitute unprofessional conduct, as set forth in R4-30-301 or R4-30-301.01.
12. "Gross negligence" means a substantial deviation in professional practice from the standard of professional care exercised by members of the registrant's profession, or a substantial deviation from any technical standards issued by a nationally recognized professional organization comprised of members of the registrant's profession, or a substantial deviation from requirements contained in state, municipal, and county laws, ordinances and regulations pertaining to the registrant's professional practice.
 13. "Incompetence" means to lack the professional qualifications, experience or education to undertake a professional engagement or assignment.
 14. "Insufficient evidence to support disciplinary action" means:
 - a. The Board determines there was no evidence to warrant disciplinary action, but believes that continuation of the actions leading to the investigation may result in future Board action against the registrant; or
 - b. The Board determines that there were de minimis violations of Board statutes or rules, but no disciplinary action should be taken against the certification or registration and that a letter of concern would be as effective a resolution as a letter of reprimand in deterring future violations of a like nature.
 15. "Other misconduct" means the registrant:
 - a. Has been convicted of a class 1 felony;
 - b. Has been convicted of a felony or misdemeanor, if the offense has a reasonable relationship to the functions of the registration;
 - c. Is presently incarcerated in a penal institution;
 - d. Has had a professional license or registration suspended or revoked for cause by this state or by any other jurisdiction or has surrendered a professional license in lieu of disciplinary action;
 - e. Has knowingly acted in violation or knowingly failed to act in compliance with any provisions of the Act, or rules of the Board or any state, municipal, or county law, code, ordinance, or regulation pertaining to the practice of the registrant's profession; or
 - f. Has refused to respond fully to a Board inquiry relating to an applicant's qualifying experience, or provided the Board with false information relating to an applicant's qualifying experience.
 16. "Practicing" means offering or performing professional services regulated by the Act within the state of Arizona.
 17. "Prepared" means to exercise direct supervision over the preparation of professional documents.
 18. "Professional documents" mean the professional work product of a registrant requiring professional judgement, design, analysis, or conclusions, including original plans, drawings, maps, plats, reports, written opinions, specifications, and calculations.
 19. "Project Prime Professional" means the registrant responsible for the coordination, continuity, and compatibility of each collaborating registrant's work (when retained by the project prime professional).
 20. "Public Works" project means a work or undertaking which is financed, in whole or in part, by a federal agency or by a state public body, as defined in this Article.
 21. "Registrant" means a person or firm who has been granted registration or certification to practice any profession regulated pursuant to the Act.

22. "Retired from active practice" means that the registrant no longer performs professional services.
23. "State public body" means the state or a county, city, town, municipal corporation, authority, or any other subdivision, agency, or instrumentality of such an entity, corporate or otherwise.
24. "Structure" as used in the Act means any constructed or designed improvement or improvements to real property including all onsite improvements, fixed equipment and landscaping, pursuant to an engagement or project.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
 Amended effective December 18, 1991 (Supp. 91-4).
 Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; original Section amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-102. Home Inspection Definitions

The following definitions apply to home inspection requirements in this Chapter:

1. "Automatic safety controls" means devices designated and installed to protect systems and components from high or low pressures and temperatures, electrical current, loss of water, loss of ignition, fuel leaks, fire, freezing, or other unsafe conditions.
2. "Central air conditioning" means a system that uses ducts to distribute cooled or dehumidified air to more than one room or uses pipes to distribute chilled water to heat exchangers in more than one room, and that is not plugged into an electrical convenience outlet.
3. "Component" means a readily accessible and observable aspect of a system, such as a floor or wall, but not individual pieces such as boards or nails where many similar pieces make up the system.
4. "Cross connection" means any physical connection or arrangement between potable water and any source of contamination.
5. "Dangerous or adverse situations" means situations that pose a threat of injury to the inspector, and those situations that require the use of special protective clothing or safety equipment.
6. "Dismantle" means to take apart or remove any component, device, or piece of equipment that is bolted, screwed, or fastened by other means and that would not be taken apart or removed by a homeowner in the course of normal household maintenance.
7. "Major defect" means a system or component that is dangerous or not functioning.
8. "Observe" means the act of making a visual examination of a system or component and reporting on its condition.
9. "On-site water supply quality" means water quality based on the bacterial, chemical, mineral, and solids content of the water.
10. "Parallel inspection" means a home inspection by an applicant supervised by a certified home inspector, in the presence of no more than three other applicants, that includes a written report prepared by the applicant, reviewed and corrected by the supervising certified home

- inspector, and returned to the applicant within 10 days after the supervising certified home inspector receives the written report.
11. "Primary windows and doors" means windows and exterior doors that are designed to remain in their respective openings year round.
 12. "Readily openable access panel" means a panel provided for homeowner inspection and maintenance that has removable or operable fasteners or latch devices so the panel can be lifted off, swung open, or otherwise removed by one person; and has edges and fasteners that are not painted in place; is within normal reach or accessible from a four-foot stepladder, and is not blocked by stored items, furniture, or building components.
 13. "Recreational facilities" means spas, saunas, steam baths, swimming pools, tennis courts, play-ground equipment, and other exercise, entertainment, or athletic facilities.
 14. "Representative number" means for multiple identical components such as windows and electrical outlets, the inspection of one component per room. For multiple identical exterior components, the inspection of one component on each side of the building.
 15. "Safety glazing" means tempered glass, laminated glass, or rigid plastic.
 16. "Shut down" means a piece of equipment whose switch or circuit breaker is in the "off" position, or its fuse is missing or blown, or a system cannot be operated by the device or control that a home owner should normally use to operate it.
 17. "Solid fuel heating device" means any wood, coal, or other similar organic fuel burning device, including but not limited to fireplaces whether masonry or factory built, fireplace inserts and stoves, wood stoves (room heaters), central furnaces, and combinations of these devices.
 18. "Structural component" means a component that supports non-variable forces or weights (dead loads) and variable forces or weights (live loads). For purposes of this definition, a dead load is the fixed weight of a structure or piece of equipment, such as a roof structure on bearing walls; and a live load is a moving variable weight added to the dead load or intrinsic weight of a structure.
 19. "System" means a combination of interacting or interdependent components, assembled to carry out one or more functions.
 20. "Technically exhaustive" means an inspection involving measurements, instruments, testing, calculations, and other means to develop scientific or engineering findings, conclusions, and recommendations.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Repealed effective December 18, 1991 (Supp. 91-4). New Section made by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking amended and renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; new Section made by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-103. Drug Laboratory Site Remediation Definitions

In addition to the definitions provided in A.R.S. §§ 12-990, 32-101, and R4-30-101, the following definitions apply only to drug laboratory site remediation requirements in this Chapter:

1. "ADHS" means the Arizona Department of Health Services.
2. "AHERA" means the Asbestos Hazard Emergency Response Act of 1986 training provisions contained in 40 CFR 763.92, effective November 15, 2000, 65 FR 69216, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.
3. "AWQS" means the Arizona Aquifer Water Quality Standards contained in A.A.C. R18-11-406, effective December 31, 2002, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
4. "Background concentration" means the level of naturally occurring contaminant in soil.
5. "Certificate" or "certificates" means registrations or certifications issued to on-site workers or on-site/remediation supervisors by the Board.
6. "Certified Industrial Hygienist" means a person certified in the comprehensive practice of industrial hygiene by the American Board of Industrial Hygiene.
7. "Certified Safety Professional" means a person certified in safety practices and procedures by the Board of Certified Safety Professionals.
8. "Chain-of-custody protocol" means a procedure used to document each person that has had custody or control of an environmental sample from its source to the analytical laboratory, and the time of possession of each person.
9. "Characterize" means to determine the quality or properties of a material by sampling and testing to determine the concentration of contaminants, or specific properties of the material such as flammability or corrosiveness.
10. "Combustible" means vapor concentration from a liquid that has a flash point greater than 100° F.
11. "Confirmation sampling of remedial projects" means collecting materials after a remedial effort to confirm that the remedial effort reduced contaminant concentrations or material properties to below the remedial standard.
12. "Contamination" or "contaminated" means the state of being impacted or polluted by hazardous or petroleum substances or chemicals.
13. "Corrosive" means a material such as acetic acid, acetic anhydride, acetyl chloride, ammonia (anhydrous), ammonium hydroxide, benzyl chloride, dimethylsulfate, formaldehyde, formic acid, hydrogen chloride/hydrochloric acid, hydrobromic acid, hydriodic acid, hydroxylamine, methylamine, methylene chloride (dichloromethane), methylene dichloride, methyl methacrylate, nitroethane, oxalylchloride, perchloric acid, phenylmagnesium bromide, phosphine, phosphorus oxychloride, phosphorus pentoxide, sodium amide (sodamide), sodium metal, sodium hydroxide, sulfur trioxide, sulfuric acid, tetrahydrofuran, or thionyl chloride that increases or decreases the pH of a material and may cause degradation of the material.
14. "Delineated" means to determine the extent of a contaminant by sampling, testing, and showing the size and shape of the contaminant plume on a drawing.
15. "EPA" means the United States Environmental Protection Agency.
16. "EPA Method 8015B" means the EPA approved method for determining the concentration of various non-halogenated

- nated volatile organic compounds and semi-volatile organic compounds by gas chromatography/flame ionization detector.
17. "EPA Method 6010B" means the EPA approved method for determining the concentration of various heavy metals by inductively coupled plasma.
 18. "EPA Method 8260B" means the EPA approved method for determining the concentration of various volatile organic compounds by GC/MS.
 19. "Exposed" means open to the atmosphere and not covered by a non-porous material.
 20. "Final report" means the report required in R4-30-305(R).
 21. "FID" means flame ionization detector.
 22. "Flammable" means vapor concentration from a liquid that has a flash point less than 100° F.
 23. "GC/MS" means gas chromatograph/mass spectrometer.
 24. "Hazardous chemical decontamination projects" means work or services related to the remediation, removal, or clean-up of hazardous chemicals, hazardous substances, petroleum substances, or other hazardous materials.
 25. "Hazardous substance" means toxic materials to be discarded as defined in 40 CFR 261.3, effective December 3, 2001, and 66 FR 60153, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available in the office of the Board of Technical Registration.
 27. "HAZWOPER" means Hazardous Waste Operations Training as defined in 29 CFR 1910.120(e), effective November 7, 2002, and 67 FR 67964, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
 28. "HEPA" means high-efficiency particulate air.
 29. "Highly suggestive of contamination" means visible or olfactory indication of contamination, or locations within 10 feet of areas where hazardous substances were stored or used to manufacture methamphetamine, LSD, or ecstasy and could likely be contaminated with hazardous substances, unless separated by a full-height, non-porous wall with no openings.
 30. "Impacted groundwater" means water present beneath ground surface that contains hazardous or petroleum substances at concentrations above background concentrations.
 31. "Impacted soil" means soil that contains hazardous or petroleum substances at concentrations above background concentrations.
 32. "Inaccessible" means unable to be reached without removal of a construction material or component.
 33. "LEL/O₂" means lower explosive limit/oxygen.
 34. "Laboratory detection limit" means the lowest concentration of a hazardous or petroleum substance that can be reliably quantified or measured by an analytical laboratory under ideal operating conditions for a particular test method on a sample.
 35. "Negative pressure enclosure" means an air-tight enclosure using a local exhaust and HEPA filtration system to maintain a lower air pressure in the work area than in any adjacent area and to generate a constant flow of air from the adjacent areas into the work area.
 36. "Non-porous" means resistant to penetration of hazardous substances or non-permeable substance or materials, such as concrete floors, wood floors, ceramic tile floors, vinyl tile floors, sheet vinyl floors, painted drywall or sheet rock walls or ceilings, doors, appliances, bathtubs, toilets, mirrors, windows, counter-tops, sinks, sealed wood, metal, glass, plastic, and pipes.
 37. "Personal protective equipment" means various types of clothing such as suits, gloves, hats, and boots, or apparatus such as face masks or respirators designed to prevent inhalation, skin contact, or ingestion of hazardous chemicals.
 38. "Personnel decontamination procedures" means procedures used to clean or remove potential contamination from personal protective equipment.
 39. "PID" means photo ionization detector.
 40. "Porous" means easily penetrated or permeated by hazardous substances or permeable substances or materials such as carpets, draperies, bedding, mattresses, fabric covered furniture, pillows, drop ceiling or other fiber-board ceiling panels, cork paneling, blankets, towels, clothing, and cardboard.
 41. "Properly disposed of" means to discard at a licensed facility in accordance with all applicable laws and not reused or sold, or metal recycled by giving or selling to a licensed recycling facility for scrap metal.
 42. "Remedial standard" or "remediation standard" means the level or concentration to be achieved by the drug laboratory site remediation firm as defined in R4-30-305(C)(2) or (C)(3).
 43. "Remediated" or "remediation" means treatment of the residually contaminated portion of the real property by a drug laboratory site remediation firm to reduce contaminant concentrations below the remedial standards.
 44. "Residual contamination" means contamination resulting from spills or releases of hazardous or petroleum substances.
 45. "Return air housing" means the main portion of an air ventilation system where air from the livable space returns to the air handling unit for heating or cooling.
 46. "Reusable" means not disposable or equipment that can be used more than one time for sampling after cleaning.
 47. "Sample location" means the actual place where an environmental sample was obtained.
 48. "Shoring plan" means a written description or drawing that shows the structural supports required to safely occupy the building during remediation.
 49. "Seepage pit" means a hole in the ground used to dispose of septic fluids.
 50. "Services" means the activities performed by the drug laboratory site remediation firm in the course of remediating residual contamination from the manufacturing of methamphetamine, ecstasy, or LSD, or from the storage of chemicals used in manufacturing methamphetamine, ecstasy, or LSD.
 51. "SRL" means the Arizona residential soil remediation levels contained in A.A.C. R18-7-201, effective September 30, 2002, the provisions of which are incorporated by reference and on file with the Secretary of State. This rule does not include any later amendments or editions of the

- incorporated matter. Copies of this rule are available at the office of the Board of Technical Registration.
52. "Temporary filter media" means a device used to filter or clean air.
 53. "Toxic" means hazardous substances that can cause local or systemic detrimental effects to people.
 54. "VOA" means volatile organic analyte.
 55. "VOCs" means volatile organic compounds or chemicals that can evaporate at ambient temperatures such as acetone, acetonitrile, aniline, benzene, benzaldehyde, benzyl chloride, carbon tetrachloride, chloroform, cyclohexanone, dioxane, ethanol, ethyl acetate, ethyl ether, Freon 11, hexane, isopropanol, methanol, methyl alcohol, methylene chloride, naphtha, nitroethane, petroleum ether, petroleum distillates, pyridine, toluene, o-toluidine, and any other volatile organic chemical used at the clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.
 56. "Waste" means refuse, garbage, or other discarded material.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Repealed effective December 18, 1991 (Supp. 91-4). New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-104. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Repealed effective December 18, 1991 (Supp. 91-4).

R4-30-105. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Repealed effective December 18, 1991 (Supp. 91-4).

R4-30-106. Fees

- A. The Board shall charge the following fees:
 1. A roster of registrants is \$15.00.
 2. A code or rule booklet is \$5.00.
 3. The computer printout fee per name is \$0.10 (non-commercial use). The maximum charge is \$150.00 per run.
 4. The photocopy fee is \$0.20 per page (non-commercial use).
 5. The replacement certificate fee is \$10.00.
 6. The recording medium copy fee is \$10.00 per recording.
 7. The local examination review fee is \$25.00.
 8. The returned check fee is \$25.00.
- B. A person paying fees shall remit them in United States dollars in the form of cash, check, or money order. If a check is returned for insufficient funds, repayment, including payment of the returned check charge, shall be made in the form of cash, money order, or certified check.
- C. Upon written request, the Board shall waive renewal fees for registrants whose registration is in inactive status.
- D. Application fee refunds are not allowed after the application has been assigned an application number and processing commences.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Emergency amendments adopted effective May 7, 1990, pursuant to A.R.S. § 41-1026, valid for only 90 days (Supp. 90-2). Emergency amendments readopted without change effective August 8, 1990, pursuant to A.R.S. § 41-1026,

valid for only 90 days (Supp. 90-3). Emergency expired. Emergency amendments readopted without change effective February 13, 1991, pursuant to A.R.S. § 41-1026, valid for only 90 days (Supp. 91-1). Emergency expired. Emergency amendments readopted without change effective May 31, 1991, pursuant to A.R.S. § 41-1026, valid for only 90 days (Supp. 91-2). Emergency expired. Emergency amendments readopted with changes effective October 22, 1991, pursuant to A.R.S. § 41-1026, valid for only 90 days (Supp. 91-4). Emergency amendments permanently adopted with changes effective December 18, 1991 (Supp. 91-4). Amended effective July 6, 1993 (Supp. 93-3). Amended effective May 1, 1995 (Supp. 95-2). Amended effective January 12, 1996 (Supp. 96-1). Amended effective January 15, 1998 (Supp. 98-1). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; original Section amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-107. Registration and Certification Expiration Dates

- A. Registrants with triennial registration have expiration dates based on the date of initial registration. The following table indicates triennial registration renewal periods:

Initial Registration Granted Date	Initial Triennial Renewal Expiration Date
Jan. 1 through Mar. 31	Three years from Mar. 31
Apr. 1 through Jun. 30	Three years from Jun. 30
Jul. 1 through Sept. 30	Three years from Sept. 30
Oct. 1 through Dec. 31	Three years from Dec. 31

- B. Subsequent triennial renewal dates will be three years from the initial triennial renewal expiration date.
- C. All annual registrations and certifications expire one year from the date of issuance.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Amended effective December 18, 1991 (Supp. 91-4). Amended by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; original Section amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-108. Reserved

R4-30-109. Reserved

R4-30-110. Reserved

R4-30-111. Reserved

R4-30-112. Reserved

R4-30-113. Reserved

R4-30-114. Reserved

R4-30-115. Reserved

R4-30-116. Reserved

R4-30-117. Reserved

R4-30-118. Reserved

R4-30-119. Reserved

R4-30-120. Complaint Review Process

- A.** The Board shall select a pool of volunteers who have submitted resumes and letters of interest to serve on enforcement advisory committees. The Executive Director shall select registrants and public members from the pool of volunteers to serve on the committees as needed. Each committee shall be comprised of one public member and a minimum of four registrants, at least one of whom is registered in the same category or branch as the respondent. The committee members shall provide technical assistance to Board staff in the evaluation and investigation of complaints. A quorum of three committee members is required for each committee meeting.
- B.** During the preliminary informal investigation of a complaint, registrants named as respondents may appear before an enforcement advisory committee for an informal conference relating to the complaint. Respondents may elect to appear with or without counsel. The committee shall attempt to assess the complaint and discuss the complaint with the respondent and others, if deemed necessary, and prepare a recommendation for disposition of the complaint.
- C.** Respondents are not required to participate in the informal conference and no inference shall be drawn from a respondent's decision not to attend.
- D.** If a respondent chooses not to attend the informal conference, the committee may meet and review information presented by staff and others and prepare a recommendation for disposition of the complaint.
- E.** The Board shall advise the respondent of the committee recommendation and offer the respondent the opportunity to attend an informal compliance conference as outlined in R4-30-123 as part of the informal investigation.
- F.** After the informal investigation has been completed, if the committee recommendation supports a determination that the complaint is unfounded, the recommendation shall be forwarded to the Board for review and final disposition.
- G.** In all cases where the advisory committee finds probable cause to believe that disciplinary action is warranted, the staff will attempt to obtain a signed consent agreement. The Board shall review the committee recommendation, staff recommendation, consent agreement, and, in the event a signed consent agreement cannot be obtained, any counterproposal from the respondent.

Historical Note

Adopted effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3).
Emergency expired; original Section amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

R4-30-121. Investigation of Violations

If any information concerning a possible violation of the Act or any of these rules is received or obtained by the Board or Board staff, an investigation shall be conducted prior to the initiation of formal proceedings. Investigative reports, enforcement advisory committee recommendations, and other documents and materials relating to an investigation shall remain confidential until the matter is closed, until the issuance of a hearing notice under A.R.S. § 32-128, or until the matter is settled by consent order; however, the Board shall inform the respondent that an investigation is being conducted and explain the general nature of the investigation. The public may obtain information that an investigation is being conducted and an explanation of the general nature of the investigation. The Board may refer investigative information to other public agencies as appropriate under the circumstances.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1).

R4-30-122. Issuance of Subpoenas

Any party desiring the Board or its hearing officers to issue a subpoena shall make application, stating the substance of the testimony expected of the witness or the relevancy of the evidence to be produced. If the testimony or evidence appears to the Board or its hearing officer to be material and necessary, a subpoena shall be supplied. The affixing of the seal of the Board and the signature of the Chairman, Secretary, Executive Director, or administrative law judge shall be sufficient attestation of the same. The party applying for the subpoena shall pay for service of the subpoena. A party is considered served at the time of personal service or mailing of the document by certified mail that is addressed to the person's last known address.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1).

R4-30-123. Informal Compliance Procedures

- A.** Upon notification of the recommendation of an enforcement advisory committee, a registrant may attend a compliance conference with Board staff. The registrant may appear with or without counsel. The Board staff shall mail the notice of the compliance conference to the registrant at least 15 days before the date of the conference. The purpose of the compliance conference is to discuss informal settlement of the investigative matter. Upon completion of the interview, a Board enforcement officer shall make recommendations to the Board.
- B.** At any time either before or after formal disciplinary proceedings have been instituted against a registrant, the registrant may submit to the Board an offer of settlement whereby, in lieu of formal disciplinary action by the Board, the registrant agrees to accept certain sanctions such as suspension, civil penalties, enrolling in relevant professional education courses, limiting the scope of practice, submitting work product to professional peer review, or other sanctions. If the Board determines that the proposed settlement will adequately protect the public welfare, the Board shall accept the offer and enter a decision consented to by the registrant, incorporating the proposed settlement.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended

by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

R4-30-124. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Section repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

R4-30-125. Reserved

R4-30-126. Service of Board Decisions; Rehearing of Board Decisions

- A.** Except as provided in subsection (G), any party to an appealable agency action or contested case before the Board who is aggrieved by a decision rendered in the matter may file with the Board, not later than 30 days after service of the decision, a written motion for rehearing or review of the decision specifying the particular grounds for the motion. A decision shall be deemed to have been served when personally delivered or mailed by certified mail to the party's last known address of record with the agency. The filing of a motion for rehearing is a condition precedent to the right of appeal provided in A.R.S. § 32-128(J).
- B.** A motion for rehearing under this rule may be amended at any time before it is ruled upon by the Board. A response may be filed within 15 days after service of the motion or amended motion by any other party. The Board may require the filing of written briefs upon the issues raised in the motion and may provide for oral argument. The filing of a motion for rehearing or review suspends the operation of the Board's order and allows the registrant to practice in his or her profession pending denial or granting of the motion, and pending the decision of the Board on the rehearing or review if the motion is granted.
- C.** A rehearing or review of the decision may be granted for any of the following causes materially affecting the moving party's rights:
 - 1. Irregularity in the administrative proceedings of the agency, members of the Board or the prevailing party, or any order or abuse of discretion, whereby the moving party was deprived of a fair hearing;
 - 2. Misconduct of the Board or the prevailing party;
 - 3. Accident or surprise which could not have been prevented by ordinary prudence;
 - 4. Newly discovered material evidence which could not with reasonable diligence have been discovered and produced at the original hearing;
 - 5. Excessive or insufficient penalties;
 - 6. Error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing;
 - 7. The decision is unjustified based upon the evidence or is contrary to law.
- D.** The Board may affirm or modify the decision or grant a rehearing to all or any of the parties and on all or part of the issues for any of the reasons set forth in subsection (C). An order granting a rehearing shall specify with particularity the ground or grounds on which the rehearing is granted, and the rehearing shall cover only those matters so specified.
- E.** Not later than 30 days after a decision is rendered, the Board may on its own motion order a rehearing or review of its decision for any reason listed in subsection (C). After giving the parties or their counsel notice and an opportunity to be heard

on the matter, the Board may grant a motion for rehearing for a reason not stated in the motion. In either case the order granting a rehearing shall specify the grounds for the rehearing.

- F.** When a motion for rehearing is based upon affidavits, they shall be served with the motion. An opposing party may, within ten days after service, serve opposing affidavits, which period may be extended for an additional period not exceeding 20 days by the Board for good cause shown or by written stipulation of the parties. Reply affidavits may be permitted.
- G.** If the Board makes specific findings that the immediate effectiveness of a decision is necessary for preservation of the public welfare, health or safety and that a rehearing or review of the decision is impracticable, unnecessary or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing, any application for judicial review of the decision shall be made within the time limits permitted for applications for judicial review of the Board's final decisions.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

ARTICLE 2. REGISTRATION PROVISIONS

R4-30-201. Professional Registration

- A.** An applicant for professional registration as an architect, assayer, engineer, geologist, landscape architect, or land surveyor shall submit an original and one copy of a completed application package that contains the following:
 - 1. Evidence of successful completion of the current national professional examination or waiver of the examination pursuant to A.R.S. § 32-126 and R4-30-203 in the category, and branch if applicable, for which registration is sought. Applicants shall arrange to have their examination results sent directly to the Board from the applicable testing agency holding the examination results;
 - 2. The information set forth in subsections (B)(1) through (15); and
 - 3. The applicable fee.
- B.** An applicant who wishes to sit for professional examination shall submit an original and one copy of a completed application for professional examination, and provide the following:
 - 1. Name, residence address, mailing address if different from residence, and telephone number of the applicant;
 - 2. Date of birth and social security number of the applicant;
 - 3. Citizenship or legal residence;
 - 4. Category, and branch of engineering if applicable, for which the applicant is seeking registration;
 - 5. A detailed explanatory statement, regarding:
 - a. Any disciplinary action, including suspension and revocation, taken by any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant in any state or jurisdiction;
 - b. Refusal of any professional or occupational registration, certification, or license by any state or jurisdiction;
 - c. Any pending disciplinary action in any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant;
 - d. Any alias or other name used by the applicant; and

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- e. Any conviction for a felony or misdemeanor, other than a minor traffic violation.
 6. State or jurisdiction in which any other professional or occupational registration, certification, or license is held, type of registration, certification, or license, number, year granted, how registration, certification, or licensure was granted (that is, by examination, education, experience, or reciprocity), and the number of examination hours taken by the applicant;
 7. Name of the state or jurisdiction, the type of professional or occupational registration, certification, or license the applicant is seeking, and the current status of any professional or occupational application for registration, certification, or license pending in any state or jurisdiction;
 8. Name, mailing address, years attended, graduation date, major, and type of degree received from each college, university, or educational institution the applicant attended.
 9. Certified transcripts sent directly to the Board from the registrar of each college, university, or educational institution the applicant attended.
 10. Name, current address, and telephone number of the applicant's current and former employers in the category for which registration is sought; dates of employment; applicant's title; description of the work performed, and number of hours worked per week;
 11. Names and addresses of immediate supervisors in past and present employment in the category for which registration is sought. Applicants who have been working in the category for which registration is sought for 10 or more years shall provide the names and addresses of all immediate supervisors during the most recent ten-year period. If an applicant cannot supply the names and addresses of supervisors for at least three engagements, the applicant shall provide to the Board a written, sworn statement explaining the inability to provide this information, and the names and addresses of three additional references, unrelated to the applicant, at least two of whom are registered in the category for which registration is sought;
 12. A release authorizing the Board to investigate the applicant's education, experience, moral character and repute;
 13. Certificate of Experience Record and Reference Forms from the applicant's present and past immediate supervisors. The applicant shall also provide Certificate of Experience Record and Reference Forms to additional references as required by the Board. The applicant shall provide the name, address, and telephone numbers of all references. The applicant shall ensure that completed reference forms are provided to the Board;
 14. Evidence of successful completion, or waiver by the Board, of the applicable in-training examination. An applicant for professional registration, who has successfully completed an in-training examination in another jurisdiction in the category for which registration is sought equivalent to the examination for that category administered in Arizona, shall submit proof of examination directly from the authority that administered the original examination. An applicant seeking professional registration as an architect or landscape architect may take the in-training examination at the same time as the professional examination. An applicant seeking professional registration as an assayer, engineer, geologist, or land surveyor shall pass the applicable in-training examination before admission to the professional examination;
 15. Certification that the information provided to the Board is accurate, true, and complete.
- C. An applicant holding a certificate of qualification issued by one of the national registration bodies recognized in R4-30-203(B) shall arrange to have the record forwarded to the Board by the national registration body. If the forms provided by the national registration body contain all the information described in A.R.S. § 32-122.01 and subsection (B), the Board may accept the forms in lieu of requiring the applicant to furnish the information directly to the Board.
 - D. The Board staff shall review all applications and, if necessary, refer completed applications to an advisory committee for evaluation. If the application is complete and in the proper form and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible in all other aspects to be registered in the field for which the application was filed, the Board staff or committee shall recommend that the Board certify the applicant as eligible to take the examination, or if exempt from examination pursuant to statute or rule, as eligible for registration. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true or that the applicant is eligible in all respects for examination or registration, the Board staff shall make a further investigation of the applicant. The Board staff and committee shall submit recommendations to the Board for approval. The Board may also require an applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for examination or registration.
 - E. The Board may permit an applicant who has successfully satisfied the requirements of an intern development program approved by the Board to qualify for an appropriate examination.
 - F. The Board shall not accept an application for registration renewal unless the applicant has responded to the questions on the application relating to good moral character and other misconduct and signed the application for renewal. The Board shall return an incomplete application to the applicant which may result in assessment of a delinquent renewal fee under R4-30-106.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
 Amended effective December 18, 1991 (Supp. 91-4).
 Amended effective November 10, 1998 (Supp. 98-4).
 Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-202. In-training Designation

- A. An applicant for in-training designation shall submit an original and one copy of a completed in-training application package that contains the following:
 1. Evidence of successful completion, or waiver by the Board, of the current in-training examination in the category and branch, if applicable, for which in-training designation is sought;
 2. The information set forth in subsections (B)(1) through (9); and
 3. The applicable fee.
- B. An in-training applicant who wants to sit for an in-training examination shall submit an original and one copy of a completed application for in-training designation to the Board, and provide the following:
 1. Name, residence address, mailing address if different from residence, and telephone number of the applicant;

2. Date of birth and social security number of the applicant;
 3. Citizenship or legal residence;
 4. Category, and branch of engineering if applicable, for which the applicant is seeking an in-training designation;
 5. Information regarding any conviction for a felony or misdemeanor, other than a minor traffic violation, and any alias or other name used by the applicant;
 6. Name, mailing address, years attended, graduation date, major, and type of degree received from each college, university, or educational institution that the applicant attended;
 7. Certified transcripts sent directly to the Board from the registrar of each college, university, or educational institution the applicant attended;
 8. A release authorizing the Board to investigate the applicant's education, experience, moral character, and repute;
 9. Certification that the information provided to the Board is accurate, true, and complete.
- C.** If otherwise qualified, the Board shall permit an applicant for in-training designation to take the in-training examination in the final year of a baccalaureate, masters, or other degree program accepted by the Board and accredited in the category for which the application is made. The applicant shall have the application form endorsed by the applicant's college dean or faculty advisor, or, if already a graduate, may arrange to have a final transcript, indicating the degree awarded, sent directly from the registrar to the Board, in lieu of the endorsement.
- D.** The Board shall permit an applicant for in-training designation without an accredited college degree to take the in-training examination after submitting to the Board evidence of four years, or if an architect-in-training applicant, five years of satisfactory experience or education or both. The applicant shall provide the name, current address, and telephone number of all current and former employers; names of all supervisors and their titles; dates of employment; applicant's title, and a description of the work performed. The applicant shall provide Certificate of Experience Record and Reference Forms to immediate supervisors at present and past employers. The applicant shall ensure the completed reference forms are submitted to the Board. The applicant shall meet all other requirements of this Section.

Historical Note

New Section R4-30-202 renumbered from R4-30-203 and amended effective November 10, 1998 (Supp. 98-4). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-202.01. Remediation Specialist Certification

- A.** An applicant for certification as a remediation specialist shall submit an original and one copy of a completed application package that contains the following:
1. Name, residence address, mailing address if different from residence, and residence telephone number of the applicant;
 2. Date of birth and social security number of the applicant;
 3. A detailed explanatory statement regarding:
 - a. Any disciplinary action, including suspension and revocation, taken by any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant in any state or jurisdiction;
 - b. Refusal of any professional or occupational registration, certification, or license by any state or jurisdiction;
 - c. Any pending disciplinary action in any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant;
 - d. Any alias or other name used by the applicant; and
 - e. Any conviction for a felony or misdemeanor, other than a minor traffic violation.
4. State or jurisdiction in which any professional or occupational registration, certification, or license is held; type of professional or occupational registration, certification, or license; registration, certification, or license number, year granted, how registration, certification, or license was granted (that is, by examination, education, experience or reciprocity), and the number of examination hours taken by the applicant;
5. Name of the state or jurisdiction, type of professional or occupational registration, certification, or license the applicant is seeking, and the current status of any application for professional or occupational registration, certification, or license pending in any state or jurisdiction;
6. Name, mailing address, years attended, graduation date, major, and type of degree received from each college, university or educational institution the applicant attended;
7. Relevant certified transcripts sent directly to the Board from the registrar of educational institutions the applicant attended;
8. Name, current address, and telephone number of the applicant's current and former employers in the area of remediation; dates of employment; applicant's title; description of the work performed, and the number of hours worked per week;
9. Names and addresses of immediate supervisors in past and present employment in the area of remediation. Applicants who have been working in remediation for 10 or more years shall provide the names and addresses of all immediate supervisors during the most recent ten-year period. If an applicant cannot supply the names and addresses of all immediate supervisors for at least three engagements, the applicant shall provide to the Board a written, sworn statement explaining the inability to provide this information;
10. A release authorizing the Board to investigate the applicant's education, experience, moral character and repute;
11. Certificate of Experience Record and Reference forms from the applicant's present and past immediate supervisors. The applicant shall also provide Certificate of Experience Record and Reference forms to additional references as required by the Board. The applicant shall provide the name, address, and telephone numbers of all references and ensure that completed reference forms are provided to the Board;
12. Certification that the information provided to the Board is accurate, true, and complete;
13. A completed fingerprint card; and
14. The applicable fees.
- B.** The Board staff shall review all applications and, if necessary, refer completed applications to an advisory committee for evaluation. If the application is complete and in the proper form and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible in all other aspects to be certified as a remediation specialist, the Board staff or committee shall recommend that the Board certify the applicant as eligible to take the examination. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true or that the applicant is eligible in all other respects for registration,

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the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require an applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for examination or certification.

Historical Note

New Section made by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-203. Waiver of Examination

- A.** The Board shall grant a waiver of the professional examination requirement in A.R.S. § 32-122.01 and R4-30-201 to an applicant for professional registration who holds a valid professional or occupational registration, certification, or license in the category for which registration, certification, or licensure is sought, and is in good standing in another state or jurisdiction provided:

1. The applicant submits verifiable documentation to the Board that the education, experience, and examination requirements under which the applicant was registered in the original state or jurisdiction were substantially identical to those existing in Arizona at the time of the applicant's original registration, certification, or licensure; or
2. The applicant submits verifiable documentation to the Board that the applicant has been actively engaged as a professional or occupational registrant, certificant, or licensee in another state or jurisdiction for at least 10 years in the category for which registration, certification, or licensure is sought. For purposes of this subsection, "actively engaged as a professional registrant" means that the applicant holds a valid professional or occupational registration, certification, or license in good standing, and has been practicing or offering professional services for at least 10 of the last 15 years.

- B.** The Board shall grant a waiver of the professional examination requirement in A.R.S. § 32-122.01 and R4-30-201 to an applicant for professional registration who submits verifiable documentation to the Board that the applicant holds one of the following professional records, issued by a national registration body, and is registered in good standing in another state or jurisdiction. The Board recognizes the following national registration body records:

1. National Council of Architectural Registration Boards Certificate Record, with design and seismic (lateral forces) qualifications;
2. National Council of Examiners for Engineers and Surveyors Council Record; or
3. Council of Landscape Architectural Registration Boards Council Record and Certification.

- C.** When reviewing an engineering applicant's experience and examination information, the Board shall take into account the specific branch of engineering in which the applicant is seeking proficiency recognition.
- D.** The Board shall waive the in-training examination if an applicant has successfully completed an in-training examination in another state or jurisdiction in the category for which registration is sought, which is equivalent to those examinations administered in Arizona. The applicant shall ensure that proof of successful completion is forwarded directly from the authority that administered the original examination.
- E.** The Board shall waive the in-training examination for an applicant who has a degree listed in R4-30-208(A) or other educational credit approved by the Board in the category, and

branch if applicable, for which registration is sought, and meets all other requirements of A.R.S. § 32-126(D).

- F.** All applicants who request a waiver of any examination requirement shall meet all other requirements for professional registration or in-training designation in R4-30-201 and R4-30-202. An applicant applying for a waiver under subsection (B) shall ensure that the required documentation is forwarded directly to the Board from the national registration body.
- G.** The Board shall waive the remediation specialist examination requirement if the applicant has successfully completed a remediation specialist examination in another state or jurisdiction that is substantially equivalent to the remediation specialist examination provided in Arizona.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). R4-30-203 renumbered to R4-30-202; new Section R4-30-203 renumbered from R4-30-207 and amended effective November 10, 1998 (Supp. 98-4). Amended by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-204. Examinations

- A.** All examinations shall be given at the times and places determined by the Board. Once the Board approves an applicant to sit for any examination, the applicant shall communicate all questions and concerns regarding extensions and refunds to the applicable testing agency. The applicant shall make any request for additional time or other special examination accommodation to the Board within a reasonable time before the examination date. The Board shall not refund any examination fee paid to a testing agency.
- B.** An applicant who fails to achieve a passing grade on any division of any examination may request re-examination by notifying the Board in writing of the applicant's desire to re-take the examination and paying the appropriate examination fee. An applicant who re-takes any examination shall advise the Board of any changes in the information provided under R4-30-201(B) and R4-30-202(B) within 30 days from the date of the change. The Board shall close an applicant's file if the Board does not receive written confirmation from the applicant of the applicant's desire to re-take the examination within one year from the request for re-examination. An applicant whose file has been closed and who later wishes to apply for professional registration shall submit a new application package to the Board pursuant to R4-30-201 and R4-30-202.
- C.** An applicant who has failed any division of an examination shall be re-examined only on the division failed. The Board shall deny an application if the applicant fails to pass all divisions of an examination within five years after first taking any division of an examination. The applicant shall submit a new application, and retake and pass those divisions of the examination, except the in-training examination, whose results are five or more years old.
- D.** An applicant who wishes to review the applicant's examination scores shall file a written request with the Board within 30 days after receiving notification of the failing grade. The applicant may review an examination by making prior arrangements with the staff and paying the applicable fee. The applicant shall complete any review within 60 days of the request for a review. In reviewing multiple choice questions, an applicant may review only those questions that were incorrect.

- E. An applicant who desires a re-grade of an examination shall file a written request with the Board within 30 days after receiving notification of the failing grade or within 30 days after reviewing the examination, whichever is applicable, and pay the applicable fee. The applicant shall identify the questions to be reviewed. The applicant shall state why a review of the item is justified. The applicant shall provide specific facts, data, and references to support any assertion that the solution deserves more credit. The Board shall determine whether it will re-grade the examination or whether it will send the examination to the applicable testing agency for re-grading.
- F. If an applicant does not have the required education and experience, the Board may hold the application for a period of time not exceeding one year upon request of the applicant. All time-frames adopted pursuant to Title 41, Chapter 6, Article 7.1 are suspended during the above-referenced time.
- G. An applicant may withdraw an application for registration or designation by written request to the Board. Any fee paid by the applicant is non-refundable. If an applicant withdraws an application, the Board shall close the file. An applicant whose file has been closed and who later wishes to apply for professional registration or in-training designation shall submit a new application package to the Board pursuant to R4-30-201 and R4-30-202.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).

Amended effective December 18, 1991 (Supp. 91-4).

Amended effective May 1, 1995 (Supp. 95-2). Amended effective November 10, 1998 (Supp. 98-4). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-205. Reserved**R4-30-206. Repealed****Historical Note**

Adopted effective August 3, 1983 (Supp. 83-4).

Amended effective December 18, 1991 (Supp. 91-4).

Repealed effective November 10, 1998 (Supp. 98-4).

R4-30-207. Renumbered**Historical Note**

Adopted effective August 3, 1983 (Supp. 83-4).

Amended effective December 18, 1991 (Supp. 91-4).

Amended effective May 1, 1995 (Supp. 95-2). Section R4-30-207 renumbered to R4-30-203 effective November 10, 1998 (Supp. 98-4).

R4-30-208. Education and Work Experience**A. Education credit.**

1. The Board shall grant credit according to the following:
 - a. Architectural applicants with five-year National Architectural Accrediting Board accredited degree (NAAB)60 months
 - b. Architectural applicants with four-year NAAB accredited degree48 months
 - c. Landscape Architectural applicants with five-year Landscape Architectural Accrediting Board accredited degree (LAAB)60 months
 - d. Landscape Architectural applicants with four-year LAAB accredited degree48 months
 - e. Engineering applicants with an Accreditation Board of Engineering and Technology (ABET) accredited bachelor degree and a (ABET) master's or doctorate degree in the branch of engineering that registration is sought60 months

- f. Engineering applicants with an ABET accredited bachelor degree in the branch of engineering that registration is sought48 months
- g. Engineering applicants with four-year ABET accredited degrees in a branch other than that in which registration is sought36 months
- h. Land Surveying applicants with ABET accredited bachelor degree in land surveying 48 months
- i. Geology applicants with four-year degree in geology48 months
- j. Assayer applicants with four-year degree in chemistry, metallurgy or other science directly related to the analysis of metal and ores48 months
- k. Remediation specialist applicants with an undergraduate degree as specified in subsection (A), or up to five years of education directly relating to remediation.

2. The Board shall grant all other education credit according to the following:

- a. Credit shall not be granted for course work obtained in the United States or its possessions unless attained at an institution of higher education accredited by an accrediting agency recognized by the U.S. Department of Education.
- b. Pro rata credit shall be granted for successful completion of courses substantially equivalent to the courses contained in the pertinent degree program identified in subsection (A) of this rule.
- c. Credit shall not be given for general education courses in excess of the number of hours allowed in the pertinent program identified in subsection (A).
- d. In determining pro rata credit, 30 semester hours or 45 quarter hours shall equal 12 months' credit.
- e. An applicant shall be granted both education and work experience for the same period provided the total months' credit granted in a period does not exceed the number of months in that period.
- f. Foreign education evaluation service acceptable to the Board shall be required of foreign-educated applicants and shall be provided at applicants' cost.

B. The Board shall credit work experience as follows:

1. One hundred and thirty hours or more of work per month is equal to one month of work experience.
2. Between 85 hours and 129 hours of work per month is equal to one-half month of work experience.
3. The Board shall not grant credit for less than 85 hours of work experience in a month.
4. Experience shall be substantiated by the employer before the Board grants the credit.
5. Remediation specialist applicants shall have at least eight years of acceptable education and remediation experience, including at least three years of experience supervising remediations

Historical Note

Adopted effective December 18, 1991 (Supp. 91-4).

Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1).

R4-30-209. Time-frames for Professional Registration, Certification, or In-training Designation

- A. Within 60 days of receiving the initial application package for professional registration, certification, or in-training designation, the Board shall finish an administrative completeness review.

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1. If the application package is complete, the Board shall notify the applicant that the package is complete and that the administrative completeness review is finished.
 2. If the application package is incomplete, the Board shall notify the applicant that the package is deficient and specify the information or documentation that is missing. All time-frames are suspended from the date the notice is mailed to the applicant until the Board receives all missing information or documentation.
 3. An applicant with an incomplete application package shall supply the missing information or documentation within 90 days from the date of the notice of deficiencies. However, the Board may hold a home inspector applicant's package for one year to permit a home inspector applicant to meet the requirements of R4-30-247(A)(7). If the applicant fails to supply the missing information or documentation, the Board may close the applicant's application file. Any fee paid by the applicant is non-refundable. An applicant whose file has been closed and who later wishes to apply for professional registration, certification, or in-training designation shall submit a new application package and pay the applicable fee.
 4. If an applicant requests to sit for the professional, certification, or in-training examination, or requests a waiver of examination, the time-frames in R4-30-210 apply until the Board grants or denies the applicant's request.
- B.** The Board shall complete its substantive review of the application package and render a decision no later than 60 days after the date the Board mails the notice of administrative completeness to the applicant.
1. If the Board finds that the applicant meets all requirements in statute and rule, the Board shall approve the applicant for professional registration, certification, or in-training designation.
 2. If the Board finds that the applicant does not meet all requirements in statute and rule, the Board shall deny the applicant professional registration, certification, or in-training designation. The Board shall provide written notice of the denial. The notice shall include justification for the denial, references to the statutes or rules on which the denial was based, and an explanation of the applicant's right to appeal, including the number of days the applicant has to file an appeal, and the name and telephone number of a Board contact person who will answer questions regarding the appeals process.
 3. If the Board finds a deficiency during the substantive review of the application package, the Board shall issue a written request, specifying the additional information or documentation to be submitted and the deadline for submission. The time-frame for substantive review of an application package is suspended from the date the written request for additional information or documentation is mailed until the date that all missing information or documentation is received or the deadline for submission passes.
 4. When the Board and applicant mutually agree in writing, the Board or its designee shall grant extensions of the substantive review time-frame totaling no more than 30 days.
 5. If the applicant fails to supply the missing information or documentation by the deadline date, the Board may close the applicant's application file. Any fee paid by the applicant is non-refundable. An applicant whose file has been closed and who later wishes to apply for professional registration, certification, or in-training designation shall submit a new application package and pay the applicable fee.
- C.** Saturdays, Sundays, and legal holidays are not counted in calculating the number of days under this Section.
- D.** For purposes of A.R.S. § 41-1073, the Board establishes the following time-frames for a candidate applying for professional registration, certification, or in-training designation:
1. Administrative completeness review time-frame: 60 days;
 2. Substantive review time-frame: 60 days; and
 3. Overall time-frame: 120 days. Days during which time is suspended under subsection (A)(2) are not counted in the computation of the overall time-frame.

Historical Note

Adopted effective November 10, 1998 (Supp. 98-4).
 Amended by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Amended by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking amended and renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; original Section amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-210. Time-frames for Approval to Sit for, or for Waiver of, the Professional, Certification, or In-training Examination

- A.** Within 60 days of receiving the initial application package to sit for, or for waiver of, the professional, certification, or in-training examination, the Board shall finish an administrative completeness review.
1. If the application package is complete, the Board shall notify the applicant that the package is complete and that the administrative completeness review is finished.
 2. If the application package is incomplete, the Board shall notify the applicant that the package is deficient and specify the information or documentation that is missing. All time-frames are suspended from the date the notice is mailed to the applicant until the Board receives all missing information or documentation.
 3. An applicant with an incomplete application package shall supply the missing information or documentation within 90 days from the date of the notice of deficiencies. If the applicant fails to supply the missing information or documentation, the Board may close the applicant's application file. Any fee paid by the applicant is non-refundable. An applicant whose file has been closed and who later wishes to sit for the in-training, certification, or professional examination, or who requests a waiver of examination, shall submit a new application package and pay the applicable fee.
- B.** The Board shall complete its substantive review of the application package and render a decision no later than 120 days after the date the Board mails the notice of administrative completeness to the applicant.
1. If the Board finds that the applicant meets all requirements in statute and rule, the Board shall either approve the applicant to sit for the next applicable examination, or the Board shall waive the examination requirement.
 2. If the Board finds that the applicant does not meet all requirements in statute or rule, the Board shall not allow the applicant to sit for the applicable examination or shall deny a waiver of examination.

3. The Board shall provide written notice of its refusal to allow the applicant to sit for the examination, or for its decision to deny a waiver of the examination. The notice shall include justification for the denial, references to the statutes or rules on which the denial was based, an explanation of the applicant's right to appeal, including the number of days the applicant has to file an appeal, and the name and telephone number of a Board contact person who will answer questions regarding the appeal process. If the Board issues a denial of waiver of an examination, it may allow the applicant to sit for the applicable examination or, depending on the circumstances and the applicant's qualifications, require the applicant to submit an application to sit for the applicable examination.
 4. If the Board finds a deficiency during the substantive review of the application package, the Board shall issue a written request, specifying the additional information or documentation to be submitted and the deadline for submission. The time-frame for substantive review of an application package is suspended from the date the written request for additional information or documentation is mailed until the date that all missing information or documentation is received.
 5. If the Board and applicant mutually agree in writing, the Board or its designee shall grant extensions of the substantive review time-frames totaling not more than 45 days.
 6. If the applicant fails to supply the missing information or documentation by the deadline date, the Board may close the applicant's application file. Any fee paid by the applicant is non-refundable. An applicant whose file has been closed and who later wishes to sit for the applicable examination or request a waiver of examination shall submit a new application package and pay the applicable fee.
- C.** Saturdays, Sundays, and legal holidays are not counted in calculating the number of days under this Section.
- D.** For the purposes of A.R.S. § 41-1073, the Board establishes the following time-frames for an applicant wishing to sit for the applicable examination or to request a waiver of examination:
1. Administrative completeness review time-frame: 60 days;
 2. Substantive review time-frame: 120 days; and
 3. Overall time-frame: 180 days.
- B.** To qualify for admission to the in-training examination, an applicant who is not a graduate of a five-year NAAB-accredited degree program shall have at least five years of education or experience or both directly related to the practice of architecture. Experience directly related to the practice of architecture of a character satisfactory to the Board includes the following:
1. Consultation: The active involvement in meetings, discussions, or the development of reports intended to provide information, facts or advice for the purpose of planning, designing or locating buildings, structures, alterations or construction projects.
 2. Evaluation: The analysis of client's requirements involving space relations, expansion needs, site requirements and flexibility which serves as a basis for the development of appropriate design objectives.
 3. Site design: Design experience including the utilization of land, placement of structures, form relationships, traffic patterns, parking facilities and utility systems based upon an analysis of surface and subsurface conditions, ecological requirements and the requirements imposed by law.
 4. Building design: Design experience including the preparation of architectural, structural and interior drawings and the development of specifications, and the selection and layout of building systems involving structural, mechanical, electrical, civil and interior considerations.
 5. Construction review: The review or supervision of construction to ensure conformance with architectural or contract specifications or requirements (maximum 12 months' credit).
 6. Administration: Administrative experience including office and field administration, field testing, quotation requests, change orders, cost accounting and project closeouts (maximum 12 months' credit).
 7. Editing or writing: The editing or writing for publication of articles, books, newsletters or other written materials on architectural subjects (maximum six months' credit).
 8. Subprofessional experience: As defined in rule R4-30-101 (maximum six months' credit).
- C.** An applicant shall successfully complete the architect-in-training examination designated by the Board and provided by the National Council of Architectural Registration Boards.

Historical Note

Adopted effective November 10, 1998 (Supp. 98-4).
 Amended by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-211. Repealed**Historical Note**

Adopted effective November 10, 1998 (Supp. 98-4).
 Amended by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Section repealed by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-212. Architect-in-training Designation

- A.** To qualify for admission to the in-training examination solely on the basis of education, an applicant shall be a graduate of a five-year architectural degree program accredited at the time of graduation by the National Architectural Accrediting Board (NAAB).

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
 Amended effective December 18, 1991 (Supp. 91-4).
 Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).
 Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-213. Reserved**R4-30-214. Architect Registration**

- A.** An applicant shall provide evidence of diverse work experience that is of a character acceptable to the Board, and which includes each of the following areas:
1. Programming
 2. Site and Environmental Analysis
 3. Schematic Design
 4. Engineering Systems
 5. Building Cost Analysis
 6. Code Research
 7. Design Development
 8. Construction Documents

9. Specifications and Material Research
10. Document Checking and Coordination
11. Bidding and Contract Negotiation
12. Construction Phase - Office
13. Construction Phase - Field Observation
14. Project Management
15. Office Management

- B.** An applicant shall successfully complete the professional architect examination designated by the Board and provided by the National Council of Architectural Registration Boards.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
 Amended effective December 18, 1991 (Supp. 91-4).
 Correction to subsection (B) (Supp. 96-1). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-215. Reserved

R4-30-216. Reserved

R4-30-217. Reserved

R4-30-218. Reserved

R4-30-219. Reserved

R4-30-220. Reserved

R4-30-221. Engineering Branches Recognized

- A.** The Board shall recognize the branches of engineering described below for review of experience, selection of examination, definition of examination areas, and definition of demonstrated proficiency areas to be inscribed on the seal. The branches do not limit the areas of a registrant's practice of engineering. (See R4-30-301(18))

1. Agriculture: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for agricultural machinery, drainage, irrigation, terracing, farm electricity or water pumps and wells for the maintenance of adequate potable water supplies for crops, people, animals, and industry.
2. Chemical: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for chemical enterprises, chemical and biological processes, plant layout, production of pilot plants, water, wastewater and pollution control plants, piping and distribution systems, heat exchanges, energy production management and distribution systems, process instrumentation and control systems, biomedical equipment, mining and minerals beneficiation, corrosion retardation, heat, mass and momentum transfer systems, reaction kinetics, thermodynamics, quality assurance controls, and systems for heat transmission.
3. Civil: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for highways, streets, transportation systems, drainage and flood control structures, surface and subsurface hydrologics, sewers, tunnels, railroads, geotechnical analysis, waterfronts, water and wastewater systems, water power and supply apparatus, wells, pumps, bridges, dams, irrigation structures, water purification apparatus, incinerators or site fire protection systems.
4. Control Systems: Consultation, investigation, evaluation, planning, design, location, development, and review of construction of control systems and their constituent

devices including, but not limited to, dynamic stability and the application of instrumentation and feedback control principles to regulate and operate chemical plants, petroleum refineries, food processing plants, water and waste treatment plant, power plants, pollution abatement system, transportation system, and other dynamic processes and systems.

5. Electrical: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for use in power systems, electronic and transmission equipment, electric service and supply systems, lighting systems, communication service and supply systems, fire alarm and detection systems, control systems or electrical installations.
6. Environmental: Consultation, investigation, evaluation, planning, design, location, development, and review of construction of water and wastewater systems, both domestic and process (industrial/commercial) solid waste and hazardous materials system, air quality system, and health, safety, and environmental protection including, but not limited to, emergency response, risk analysis, radiation protection, noise toxicology, and industrial hygiene.
7. Fire Protection: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for building exiting and life safety systems, fire suppression systems and devices, fire detection and alarm systems and devices, smoke exhaust and smoke management systems, fire resistance for building components and assemblies, water supplies and pumping systems for fire protection, including the hydraulic analysis of such systems, and the reduction and control of fire hazards due to processes subject to fire or explosion.
8. Geological: Consultation, investigation, evaluation, planning, design, location, development, and review of construction or geological studies related to surface and subsurface excavations and foundations, stability of slopes, groundwater locations, geological material age and strength determinations near surface or deep subsurface geological structure determinations, and geophysical mapping of geological formations and groundwater locations.
9. Industrial: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for factory layouts, tools and fixtures, factory planning, time and motion study systems, rate plans, production plans, quality control systems and analysis, work simplification systems, methods studies and cost, production control, organizational, operational and labor needs, or safety analysis.
10. Mechanical: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for air conditioning, refrigeration, ventilation, combustion, heat transfer, energy, power, fuels, propulsion, machinery, tools, manufacturing, fluids, plumbing, fire suppression systems and devices, water supplies and pumping systems for fire protection, including the hydraulic analysis of such systems.
11. Metallurgical: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for projects in the production of metals or metal objects, testing procedures, metal processing, failure analysis procedures, mining and mineral beneficiation or the development of metal alloys.
12. Mining: Consultation, investigation, evaluation, planning, design, location, development, and review of con-

struction for projects concerning the construction of plants, shaft and bottom layouts, ventilation and hoisting systems, head frames, washery or concentration mills, mining methods and testing procedures or metallurgical works and production procedures.

13. Nuclear: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for nuclear waste management, alternative waste management systems, disposal criteria and risk evaluation, transportation, packaging, decontamination, handling, welding evaluation, site stabilization, recovery techniques, water and air quality control systems, waste volume management, evaporation systems, reactor safety methods, health safety systems, cycle analysis or nuclear fuels.
14. Petroleum: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for drilling equipment, pipelines, refinery plants, gathering systems, handling and storage systems, exploitation and selection methods, gas measurement and core analysis, phase behavior studies, reserve calculations or the development of petroleum products.
15. Sanitary: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for water treatment and sewage disposal plants, water systems, sewers, incinerators, distribution systems, sewage and industrial waste treatment plants, pollution reduction systems, sanitary facilities or public health systems.
16. Structural: Consultation, investigation, evaluation, planning, design, location, development, and review of construction for force-resisting and load-bearing members and their connections for structures such as foundations, bridges, walls, columns, slabs, beams, trusses or similar members used singly or as part of a larger structure.

- B. An applicant shall submit a separate application and application fee for each branch for which application is made. An applicant who wishes to change the branch of application after the application has been evaluated shall submit the request in writing and pay an additional application fee.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective July 6, 1993 (Supp. 93-3). Amended effective May 1, 1995 (Supp. 95-2). Amended effective December 18, 1997 (Supp. 97-4). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-222. Engineer-In-Training Designation

- A. To qualify for admission to the in-training examination solely on the basis of education, an applicant shall be a graduate of a four-year engineering degree program accredited at the time of graduation by the Accreditation Board for Engineering and Technology (ABET) or an equivalent predecessor organization.
- B. To qualify for admission to the in-training examination, an applicant who is not a graduate of a four-year ABET-accredited engineering degree program shall have at least four years of education or experience or a combination of both directly related to the practice of engineering. Experience directly related to the practice of engineering of a character satisfactory to the Board includes but is not limited to the following in the candidate's branch of engineering:

1. Consultation: The active involvement in meetings, discussions or development of reports intended to provide information, facts or advice regarding the application of the accepted engineering principles to fulfill the client's specific requirements.
 2. Research investigation: The search, examination or study to determine the practicality or effectiveness of accepted principles for adaptation and application to novel situations or the development of new or alternative solutions to solve problems.
 3. Evaluation: The analysis, testing or study to determine or estimate the merit, effect, efficiency or practicality of approaches, methods, designs, structures or materials for use in a given situation or to achieve a specific result.
 4. Planning: The preliminary development of objectives, statements, outlines, drafts, drawings or diagrams showing the arrangement, scheme, schedule, program or procedure for determining the most effective solution to a problem.
 5. Design: Design, development and location experience.
 6. Construction review: The review or supervision of construction projects in the candidate's branch of engineering to determine conformance with contract documents and design specifications (maximum 12 months' credit).
 7. Administration: Administrative experience in the candidate's branch of engineering, including office and field administration, field or laboratory testing, quotation requests, change orders, bidding procedures, cost accounting and project closeouts (maximum 12 months' credit).
 8. Surveying: The measurement, using accepted methods of surveying, of units of space, water, land or structures to determine boundaries, areas, shapes, slopes, distances, angles or other calculations (maximum 12 months' credit).
 9. Editing or writing: The editing or writing for publication of articles, books, newsletters or other written materials directly relating to the candidate's branch of engineering (maximum six months' credit).
 10. Other engineering experience: Experience of a nature set forth in this subsection but in other recognized branches of engineering (maximum six months' credit).
 11. Subprofessional experience: As defined in rule R4-30-101 (maximum six months' credit).
- C. An applicant shall successfully complete the engineer-in-training examination designated by the Board and provided by the National Council of Examiners for Engineers and Surveyors.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-223. Reserved

R4-30-224. Engineer Registration

- A. Work experience credited toward the eight-year active engagement requirement shall be directly related to the applicant's branch of engineering and of a character satisfactory to the Board and attained as described in R4-30-222, except that work experience for specific branches of engineering as described in R4-30-221 shall be for the purpose of qualifying an applicant for registration only and shall not be construed to restrict or confine the work practices of or engineering engagements accepted by a registrant.

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- B. An applicant shall successfully complete the professional engineer examinations offered in the applicant's branch of engineering designated by the Board.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective July 6, 1993 (Supp. 93-3). Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

- R4-30-225. Reserved
R4-30-226. Reserved
R4-30-227. Reserved
R4-30-228. Reserved
R4-30-229. Reserved
R4-30-230. Reserved
R4-30-231. Reserved
R4-30-232. Reserved
R4-30-233. Reserved
R4-30-234. Reserved
R4-30-235. Reserved
R4-30-236. Reserved
R4-30-237. Reserved
R4-30-238. Reserved
R4-30-239. Reserved
R4-30-240. Reserved
R4-30-241. Reserved

R4-30-242. Geologist-in-training Designation

- A. To qualify for admission to the in-training examination solely on the basis of education, an applicant shall be a graduate of a four-year degree program with a major in geology at a college or university accredited at the time of graduation by a regional accrediting agency recognized by the Arizona Board of Regents.
- B. To qualify for admission to the in-training examination, an applicant who is not a graduate of a four-year degree program as specified in subsection (A) shall have at least four years of education or experience or both directly related to the practice of geology. Experience directly related to the practice of geology of a character satisfactory to the Board shall include the following:
1. Consultation: The active involvement in meetings, discussions and development of reports intended to provide information, facts or advice regarding natural resources and surface and subsurface geological conditions and the preparation of geological maps for use in consultations with clients.
 2. Evaluation: The evaluation of mining and petroleum properties, groundwater resources, unconsolidated earth materials, mineral fuels, natural hazards and land use limitations.
 3. Supervision of exploration: The supervision of the geological phases of engineering investigation, exploration

for mineral and natural resources, metallic and nonmetallic ores, petroleum and groundwater resources.

4. Administration: Administrative experience, including office and field administration, field or laboratory testing, quotation requests, change orders, cost accounting, bidding procedures and project closeouts (maximum 12 months' credit).
 5. Editing or writing: The editing or writing for publication of articles, books, newsletters or other written materials on geological subjects (maximum six months' credit).
 6. Engineering: Experience in related branches of engineering (maximum six months' credit).
 7. Subprofessional experience: As defined in rule R4-30-101 (maximum six months' credit).
- C. An applicant shall successfully complete the geologist-in-training examination designated by the Board and provided by the Association of State Boards of Geology.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-243. Reserved**R4-30-244. Geologist Registration**

An applicant shall successfully complete the professional geologist examination designated by the Board and provided by the Association of State Boards of Geology.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-245. Reserved**R4-30-246. Reserved****R4-30-247. Home Inspector Certification**

- A. An applicant for certification as a home inspector shall submit an original and one copy of a completed application package that contains the following:
1. Evidence of successful completion, within two years before the date of application, of the National Home Inspector Examination as administered by the Examination Board of Professional Home Inspectors;
 2. The information in subsections (B)(1) through (10);
 3. A completed fingerprint card;
 4. Applicable fees;
 5. Evidence of successful completion of 80 hours of classroom training or an equivalent course conducted by an educational facility that is licensed by the applicable post-secondary education regulatory agency in the home state of the facility, or accredited by the Accrediting Commission of the Distance Education and Training Council, or by an accrediting agency approved by the United States Department of Education. The course of study shall encompass all of following major content areas:
 - a. Structural Components,
 - b. Exterior,
 - c. Roofing,
 - d. Plumbing,
 - e. Heating,

- f. Cooling,
 - g. Electrical,
 - h. Insulation and Ventilation,
 - i. Interiors,
 - j. Fireplaces and Solid Fuel-Burning Devices, and
 - k. Professional Practice; and
6. An applicant who has lawfully conducted home inspections as part of a business shall provide evidence of successful completion of 100 home inspections that meet the standards referenced in R4-30-301.01 on a form provided by the Board. An applicant under this subsection shall meet all other requirements for certification in this Section;
 7. To complete a home inspector in-training program, an applicant who otherwise qualifies for certification as a home inspector except for meeting the qualification in subsection (A)(6), shall present evidence of completion of 30 parallel inspections. The 30 parallel inspections and home inspection report shall meet the standards in R4-30-301.01 and be retained by the applicant for at least two years from the date of application. The applicant shall conduct these inspections on separate residential dwelling units and shall list them on a log provided by the Board. The log shall include, with respect to each inspection, the address of the property, the date of the inspection, and the name and certification number of the supervising home inspector. The Board may hold the applicant's package for a period of one year based solely on the need for time to permit the applicant to complete the required parallel inspections. All time-frames promulgated under A.R.S. Title 41, Chapter 6, Article 7.1 are suspended during this period.
- B.** The application package shall contain the following:
1. Name, residence address, mailing address if different from residence address, and telephone number;
 2. Date of birth and social security number of the applicant;
 3. Citizenship or legal residence;
 4. A detailed explanatory statement regarding:
 - a. Any disciplinary action, including suspension and revocation, taken by any state or jurisdiction on any professional or occupational registration, license, or certification held by the applicant in any state or jurisdiction;
 - b. Refusal of any professional or occupational registration, license, or certification by any state or jurisdiction;
 - c. Any pending disciplinary action in any state or jurisdiction on any professional or occupational registration, license, or certification held by the applicant;
 - d. Any alias or other name used by the applicant;
 - e. Any conviction for a felony or misdemeanor, other than a minor traffic violation.
 5. Documentation of absolute discharge from sentence at least five years before the date of application if an applicant has been convicted of one or more felonies;
 6. State or jurisdiction in which any professional or occupational registration, license or certification is held; type of registration, license, or certification; number; year granted, and how registration, license, or certification was granted (that is, by examination, education, experience, or reciprocity);
 7. The current status of any application for any type of professional or occupational registration, license, or certification pending in another state or jurisdiction;
 8. A release authorizing the Board to investigate the applicant's education, experience, and moral character and repute;
 9. Certification that the information provided to the Board is accurate, true, and complete;
 10. Copy of one report that meets the standards in R4-30-301.01; and
 11. Sworn statement or statements by the supervising certified home inspector or inspectors that the parallel inspections conducted by the applicant meet the standards in R4-30-301.01.
- C.** The Board staff shall review all applications and, if necessary, refer completed applications to the Home Inspector Rules and Standards Committee for evaluation. If the application is complete and in the proper form, the Board staff or committee is satisfied that all statements on the application are true, and the applicant is eligible in all other aspects to be certified as a home inspector, the Board staff or committee shall recommend that the Board certify the applicant. If the evidence is not clear and convincing of qualification for certification, the matter shall be reviewed by the committee and the committee may request additional information regarding any issue upon which the applicant has not established qualification by clear and convincing evidence.
- D.** A certified home inspector shall notify the Board in writing within five business days of any loss of, or change in, financial assurance. The Board shall suspend the certificate holder's certification immediately and prohibit further home inspections until current proof of financial assurance is provided to the Board. The Board shall revoke a certificate if the certificate holder fails to provide proof of financial assurance within 90 days of loss of financial assurance or lapse of policy. All certified home inspectors shall provide proof of financial assurance at the time of each annual certification renewal. The Board shall not renew a home inspector certification unless the financial assurance is in full force and effect.

Historical Note

New Section made by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking amended and renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; new Section made by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-248. Reserved

R4-30-249. Reserved

R4-30-250. Reserved

R4-30-251. Reserved

R4-30-252. Landscape Architect-in-training Designation

- A.** To qualify for admission to the in-training examination solely on the basis of education, an applicant shall be a graduate of a four- or five-year landscape architectural degree program accredited at the time of graduation by the Landscape Architectural Accreditation Board (LAAB) or an equivalent predecessor organization.
- B.** To qualify for admission to the in-training examination, an applicant who is not a graduate of a four- or five-year LAAB-accredited landscape architectural degree program shall have at least four years of education or experience or both directly related to the practice of landscape architecture. Experience

directly related to the practice of landscape architecture of a character satisfactory to the Board shall include the following:

1. Consultation: The active involvement in meetings, discussions and development of reports intended to provide information, facts or advice regarding the application of landscape architectural principles to fulfill the client's specific requirements.
 2. Investigation, reconnaissance and research: The search, examination or study to determine the practicality or effectiveness of accepted landscape architectural principles to novel situations or the development of new or alternative solutions to landscape architectural problems.
 3. Planning: The preliminary development of objectives, statements, outlines, drafts, drawings, maps or diagrams showing the arrangement, scheme, schedule, program or procedure for determining the most effective solution to a landscape architectural problem.
 4. Design: The preparation and use of sketches, plans, drawings, outlines, models or schemes to convey the use and development of land, plantings, landscapings, settings, approaches to buildings, structures or facilities, traffic patterns and drainage or erosion patterns.
 5. Supervision of development: The supervision of the development of land and incidental water areas for the preservation, enhancement or determination of proper land uses, natural land features, ground cover and planting, naturalistic and esthetic values, settings and approaches, natural drainage and the consideration and determination of inherent problems of the land, including erosion, wear and tear, light and other hazards.
 6. Administration: Administrative experience, including office and field administration, field testing, quotation requests, change orders, cost accounting, bidding procedures and project closeouts (maximum 12 months' credit).
 7. Editing or writing: The editing or writing for publication of articles, books, newsletters or other written materials on landscape architectural subjects (maximum six months' credit).
 8. Subprofessional experience: As defined in rule R4-30-101 (maximum six months' credit).
- C. An applicant shall successfully complete the landscape architect-in-training examination designated by the Board and provided by the Council of Landscape Architectural Registration Boards.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-253. Reserved

R4-30-254. Landscape Architect Registration

An applicant shall successfully complete the professional landscape architect examination designated by the Board and provided by the Council of Landscape Architectural Registration Boards.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-255. Reserved

R4-30-256. Reserved

R4-30-257. Reserved

R4-30-258. Reserved

R4-30-259. Reserved

R4-30-260. Reserved

R4-30-261. Reserved

R4-30-262. Assayer-in-training Designation

- A. To qualify for admission to the in-training examination solely on the basis of education, an applicant shall be a graduate of a four-year degree program with a major in chemistry, metallurgy or other science directly related to the analysis of metals and ores at a college or university accredited at the time of graduation by a regional accrediting agency recognized by the Arizona Board of Regents.
- B. To qualify for admission to the in-training examination, an applicant who is not a graduate of a four-year degree program with a major in chemistry, metallurgy or other science directly related to the analysis of metals and ores at an accredited college or university specified in subsection (A), shall have at least four years of education or experience or both directly related to the practice of assaying. Experience directly related to the practice of assaying of a character satisfactory to the Board shall include the following:
1. Experience in the analysis of ferrous and nonferrous metals, minerals, fabrics and rock or powdered ores.
 2. Experience in all phases of fire analysis for the isolation or quantification of precious metals or minerals or any other substance in them, the experience to include: identification of sample metals, ores, minerals or alloys; pre-weighing of sample preparations; use of assaying weights; grit sizing; dehydration; sampling; crushing; mixing; rolling; coning; truncating; quartering; firing; choice and use of fluxes; button processing; cupellation; weighing; parting; and calculation.
 3. Experience in wet analysis or titration procedures.
 4. Experience in analysis by atomic absorption.
 5. Experience in the use of mineral standards.
 6. Consultation with clients or colleagues in service or work requiring the use of the knowledge of mineral sciences and assaying and the application of this knowledge in assignments involving the evaluation and analysis of metals, minerals and ores.
 7. Editing or writing for publication of articles, books, newsletters or other written materials on assaying-related subjects (maximum six months' credit).
 8. Subprofessional experience as defined in rule R4-30-101 (maximum six months' credit).
- C. An applicant shall successfully complete the assayer-in-training examination administered and provided by the Board.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-263. Reserved

R4-30-264. Assayer Registration

An applicant shall successfully complete the professional assayer examination administered and provided by the Board.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
 Amended effective December 18, 1991 (Supp. 91-4).
 Amended by final rulemaking at 6 A.A.R. 1018, effective
 February 25, 2000 (Supp. 00-1). Amended by final rule-
 making at 10 A.A.C. 2798, effective August 7, 2004
 (Supp. 04-2).

R4-30-265. Reserved**R4-30-266. Reserved****R4-30-267. Reserved****R4-30-268. Reserved****R4-30-269. Reserved****R4-30-270. Drug Laboratory Site Remediation Firm Registration**

An applicant for drug laboratory site remediation firm registration shall submit an original and one copy of a completed application package that contains the following:

1. Name of business, business address, mailing address if different from business address, and business telephone number;
2. Description of the applicant's services offered to the public;
3. Name and certification number of each on-site supervisor who is authorized and responsible for the services being offered;
4. Legal status of business, such as corporation, partnership, sole proprietorship, or other status;
5. Name and address of the responsible individual in the firm to whom notices and correspondence from the Board should be mailed; and
6. Certification that the information provided to the Board is accurate, true, and complete;
7. Copy of a current license issued by the Registrar of Contractors, the scope of which permits the applicant to perform the activities required of drug laboratory site remediation firms certified pursuant to this Chapter;
8. The applicable fee.

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-271. On-site Supervisor Certification and Renewal

A. An applicant for on-site supervisor certification shall submit an original and one copy of a completed application package that contains the following:

1. Name, residence address, mailing address if different from residence address, and telephone number;
2. Date of birth and social security number of the applicant;
3. Citizenship or legal residence;
4. State or jurisdiction in which any other professional or occupational certification, registration, or license is held by the applicant, type of certification, registration, or license, number, and year granted;
5. The name of the state or jurisdiction, the type of professional or occupational certification, registration, or license the applicant is seeking, and the status of any professional or occupational certification, registration, or license application pending in any state or jurisdiction;
6. A detailed explanatory statement, regarding:
 - a. Refusal of professional or occupational certification, registration, or license by any state or jurisdiction;

- b. Any pending disciplinary action in any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant;
- c. Any alias or other name used by the applicant;
- d. Any conviction for a felony or misdemeanor, other than a minor traffic violation; and
- e. Any disciplinary action taken by any state or jurisdiction on any professional or occupational registration, certification, or license held by the applicant in any state or jurisdiction.

7. Certification that the information provided to the Board is accurate, true, and complete;
8. A copy of a current 40-hour HAZWOPER training certificate or a copy of a current 8-hour HAZWOPER refresher certificate and a copy of a 40-hour HAZWOPER training certificate;
9. Documentation of 12 months or more of on-site experience in hazardous chemical decontamination projects and a copy of a HAZWOPER certificate that shows the applicant held valid HAZWOPER certification during the 12 months of experience;
10. Documentation of current AHERA contractor or supervisor certification or a copy of a current AHERA refresher certificate and a copy of an AHERA contractor or supervisor training certificate;
11. Documentation of successful completion of a lead training course that meets the requirements of 29 CFR 1926.62(l), effective January 8, 1998, 63 FR 1296, the provisions of which are incorporated by reference and on file with the Secretary of State, copies of which are available at the office of the Board of Technical Registration;
12. A signed release authorizing the Board to investigate the applicant's education, experience, and moral character and repute; and
13. The applicable fee.

B. Beginning September 30, 2003, an applicant for renewal of on-site supervisor certification shall submit an application package that contains:

1. A completed renewal application form provided by the Board, signed and dated by the registrant that provides the information contained in subsections (A)(1), (2), (6), and (7);
2. A copy of the registrant's current 8-hour HAZWOPER refresher certificate;
3. A copy of the registrant's current AHERA refresher certificate;
4. For the first annual renewal, documentation of successful completion of an 8-hour training course approved by the Board that encompasses the following:
 - a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;
 - b. Chemical and physical hazards of a clandestine drug laboratory;
 - c. Typical manufacturing methods for methamphetamine, LSD, and ecstasy;
 - d. Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;
 - e. Potential sharps and biohazards at a clandestine drug laboratory;
 - f. Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and
 - g. Other potential hazards or dangers that can be associated with a clandestine drug laboratory;

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5. For the first annual renewal, documentation of successful completion of an 8-hour training course approved by the Board that encompasses the following:
 - a. Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site;
 - b. Assessment of residual contamination;
 - c. Preparation of the work plans for remediation of a clandestine drug laboratory;
 - d. Assessment of the structural stability for safe entry into a clandestine drug laboratory site;
 - e. Characterizing waste from the remediation of a clandestine drug laboratory; and
 - f. Preparing final reports on the remediation of the clandestine drug laboratory;
 6. For the second and all subsequent annual renewals, documentation of successful completion of a 2-hour refresher training course approved by the Board that encompasses the following:
 - a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;
 - b. Hazardous and precautionary measures for initial entry into a clandestine drug laboratory site;
 - c. Preparation of the work plan for remediation of a clandestine drug laboratory;
 - d. Assessment of the structural stability for safe entry into a clandestine drug laboratory site;
 - e. Characterizing waste from the remediation of a clandestine drug laboratory; and
 - f. Preparing the final report on the remediation of a clandestine drug laboratory;
 7. The applicable fee.
- C.** The Board staff shall review all applications and, if necessary, refer completed applications to the Environmental Remediation Rules and Standards Committee for evaluation. If the application is complete and in the proper form, and the Board staff or committee is satisfied that all statements on the application are true and that the applicant is eligible in all other aspects to be certified, the Board staff or committee shall recommend that the Board certify the applicant. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require a applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for certification.
- Historical Note**
- New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 2111, effective June 2, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 3514, effective July 17, 2003 (Supp. 03-3). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).
- R4-30-272. On-site Worker Certification and Renewal**
- A.** An applicant for on-site worker certification shall submit an original and one copy of a completed application package that contains the following:
1. Name, residence address, mailing address if different from residence address, and telephone number;
 2. Date of birth and social security number of the applicant;
 3. Citizenship or legal residence;
 4. State or jurisdiction in which any professional or occupational certification, registration, or license is held by the applicant, type of certification, registration, or license, number, and year granted;
- 5.** Name of the state or jurisdiction, the type of professional or occupational certification, registration, or license the applicant is seeking, and the status of any professional or occupational application pending in any state or jurisdiction;
- 6.** A detailed explanatory statement regarding:
- a. Any refusal of professional or occupational certification, registration, or license by any state or jurisdiction;
 - b. Any pending disciplinary action in any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant;
 - c. Any alias or other name used by the applicant;
 - d. Any conviction for a felony or misdemeanor, other than a minor traffic violation; and
 - e. Any disciplinary action taken by any state or jurisdiction on any professional or occupational certification, registration, or license held by the applicant in any state or jurisdiction;
- 7.** Certification that the information provided to the Board is accurate, true, and complete;
- 8.** Copy of a current 40-hour HAZWOPER training certificate or copy of a current 8-hour HAZWOPER refresher certificate and a copy of a 40-hour HAZWOPER training certificate;
- 9.** A signed release authorizing the Board to investigate the applicant's education, experience, and moral character and repute; and
- 10.** The applicable fee.
- B.** Effective September 30, 2003, an applicant for renewal of on-site worker certification shall submit an application package that contains:
1. A completed renewal application form provided by the Board, signed and dated by the applicant that provides the information contained in subsections (A)(1), (2), (6) and (7);
 2. A copy of the applicant's current 8-hour HAZWOPER refresher certificate;
 3. For the first annual renewal, documentation of successful completion of an 8-hour training course approved by the Board that encompasses the following:
 - a. Clandestine Drug Laboratory Site Remediation Best Standards and Practices contained in R4-30-305;
 - b. Chemical and physical hazards of a clandestine drug laboratory;
 - c. Typical manufacturing methods for methamphetamine, LSD, and ecstasy;
 - d. Typical flammable, combustible, corrosive, and reactive materials used in a clandestine drug laboratory;
 - e. Potential sharps and biohazards at a clandestine drug laboratory;
 - f. Proper handling and disposal of wastes from the remediation of a clandestine drug laboratory; and
 - g. Other potential hazards or dangers that can be associated with a clandestine drug laboratory;
 4. The applicable fee.
- C.** The Board staff shall review all applications and, if necessary, refer completed applications to the Environmental Remediation Rules and Standards Committee for evaluation. If the application is complete and in the proper form, and the Board staff or committee is satisfied that all statements on the application are true and the applicant is eligible in all other respects to be certified, the Board staff or committee shall recommend

that the Board certify the applicant. If for any reason the Board staff or committee is not satisfied that all of the statements on the application are true, the Board staff shall make a further investigation of the applicant. The Board staff or committee shall submit recommendations to the Board for approval. The Board may also require an applicant to submit additional oral or written information if the applicant has not furnished satisfactory evidence of qualifications for certification.

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 2111, effective June 2, 2003 (Supp. 03-2). Amended by exempt rulemaking at 9 A.A.R. 3514, effective July 17, 2003 (Supp. 03-3). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-273. Reserved

R4-30-274. Reserved

R4-30-275. Reserved

R4-30-276. Reserved

R4-30-277. Reserved

R4-30-278. Reserved

R4-30-279. Reserved

R4-30-280. Reserved

R4-30-281. Reserved

R4-30-282. Land Surveyor-in-training Designation

- A. To qualify for admission to the in-training examination solely on the basis of education, an applicant shall be a graduate of a four-year land surveying degree program accredited at the time of graduation by the Accreditation Board for Engineering and Technology (ABET) or an equivalent predecessor organization.
- B. To qualify for admission to the in-training examination, an applicant who is not a graduate of a four-year ABET-accredited land surveying degree program shall have at least four years of education or experience or both directly related to the practice of land surveying. Experience directly related to the practice of land surveying of a character satisfactory to the Board shall include the following:
 1. The measurement of space, water, land or structures located or to be located upon or within them, to determine boundaries, areas or other necessary calculations through the use of any mechanical, physical, electric or electronic equipment or devices commonly used by registered professional land surveyors.
 2. The analysis of measurement data through the use of professional knowledge or education or practical experience in the mathematical and physical sciences and in the principles of land surveying.
 3. The location or relocation, establishment or re-establishment of boundaries, easements, rights-of-way, bench marks or corners.
 4. Consultation with clients to determine the necessity of land surveying services and the determination of the correct type of services necessary to fulfill the client's needs and objectives.
 5. The search of any source of public or private records for the purpose of performing a survey or to determine and, if necessary, to reconcile differences between the surveyor's collected data and such records.

6. The platting or subdividing of land or the planning and design of parcels of land for development purposes.
 7. The preparation and maintenance of survey records.
 8. Other land surveying activities, analyses or investigations defined in the Act.
 9. The participation in office and field administration, quotation requests, bidding procedures, cost accounting and project closeouts (maximum 12 months' credit).
 10. The editing or writing for publication of articles, books, newsletters or other written materials on land surveying subjects (maximum six months' credit).
 11. Construction staking (maximum 12 months' credit).
 12. Subprofessional experience as defined in R4-30-101 (maximum six months' credit).
- C. The applicant shall successfully complete the land surveyor-in-training examination designated by the Board and provided by the National Council of Examiners for Engineers and Surveyors.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-283. Reserved

R4-30-284. Land Surveyor Registration

The candidate shall successfully complete the professional land surveyor examination. Part One of the professional examination is designated by the Board and provided by the National Council of Examiners for Engineers and Surveyors. Part Two of the professional examination is designated and provided by the Board.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1).

ARTICLE 3. REGULATORY PROVISIONS

R4-30-301. Rules of Professional Conduct

All registrants shall comply with the following rules of professional conduct:

1. A registrant shall not submit any materially false statements or fail to disclose any material facts requested in connection with an application for registration, certification, or subpoena.
2. A registrant shall not engage in fraud, deceit, misrepresentation or concealment of material facts in advertising, soliciting, or providing professional services to members of the public.
3. A registrant shall not knowingly commit bribery of a public servant as proscribed in A.R.S. § 13-2602, knowingly commit commercial bribery as proscribed in A.R.S. § 13-2605, or violate any federal statute concerning bribery.
4. A registrant shall comply with state, municipal, and county laws, codes, ordinances, and regulations pertaining to the registrant's area of practice.
5. A registrant shall not violate any state or federal criminal statute involving dishonesty, fraud, misrepresentation, embezzlement, theft, forgery, perjury, bribery, or breach of fiduciary duty, if the violation is reasonably related to the registrant's area of practice.

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6. A registrant shall apply the technical knowledge and skill that would be applied by other qualified registrants who practice the same profession in the same area and at the same time.
7. A registrant shall not accept an assignment if the duty to a client or the public would conflict with the registrant's personal interest or the interest of another client without full disclosure of all material facts of the conflict to each person who might be related to or affected by the project or engagement in question.
8. A registrant shall not accept compensation for services related to the same project or professional engagement from more than one party without making full disclosure to all parties and obtaining the express written consent of all parties involved.
9. A registrant shall make full disclosure to all parties concerning:
 - a. Any transaction involving payments to any person for the purpose of securing a contract, assignment, or engagement, except for actual and substantial technical assistance in preparing the proposal; or
 - b. Any monetary, financial, or beneficial interest the registrant may hold in a contracting firm or other entity providing goods or services, other than the registrant's professional services, to a project or engagement.
10. A registrant shall not solicit, receive, or accept compensation from material, equipment, or other product or services suppliers for specifying or endorsing their products, goods or services to any client or other person without full written disclosure to all parties.
11. If a registrant's professional judgment is overruled or not adhered to under circumstances where a serious threat to the public health, safety, or welfare may result, the registrant shall immediately notify the responsible party, appropriate building official, or agency, and the Board of the specific nature of the public threat.
12. If called upon or employed as an arbitrator to interpret contracts, to judge contract performance, or to perform any other arbitration duties, the registrant shall render decisions impartially and without bias to any party.
13. To the extent applicable to the professional engagement, a registrant shall conduct a land survey engagement in accordance with the April 12, 2001 Arizona Professional Lands Surveyors Association (APLS) Arizona Boundary Survey Minimum Standards, as adopted by the Board on June 15, 2001, the provisions of which are incorporated in this subsection by reference and on file with the Office of the Secretary of State. This incorporation by reference does not include any later amendments or editions.
14. A registrant shall comply with any subpoena issued by the Board or its designated administrative law judge.
15. A registrant shall update the registrant's address and telephone number of record with the Board within 30 days of the date of any change.
16. A registrant shall not sign, stamp, or seal any professional documents not prepared by the registrant or a bona fide employee.
17. Except as provided in subsections (18) and (19), a registrant shall not accept any professional engagement or assignment outside the registrant's professional registration category unless:
 - a. The registrant is qualified by education, technical knowledge, or experience to perform the work; and
 - b. The work is exempt under A.R.S. § 32-143.
18. A registered professional engineer may accept professional engagements or assignments in branches of engineering other than that branch in which the registrant has demonstrated proficiency by registration but only if the registrant has the education, technical knowledge, or experience to perform such engagements or assignments.
19. Except as otherwise provided by law, a registrant may act as the prime professional for a given project and select collaborating professionals; however, the registrant shall perform only those professional services for which the registrant is qualified by registration to perform and shall seal and sign only the work prepared by the registrant or by the registrant's bona fide employee.
20. A registrant who is designated as a responsible registrant shall be responsible for the firm or corporation. The Board may impose disciplinary action on the responsible registrant for any violation of Board statutes or rules that is committed by a non-registrant employee, firm, or corporation.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
 Amended effective December 18, 1991 (Supp. 91-4).
 Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 8 A.A.R. 903, effective February 14, 2002 (Supp. 02-1). Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-301.01. Home Inspector Rules of Professional Conduct

- A. To the extent applicable, a certified home inspector shall conduct a home inspection in accordance with the "Standards of Professional Practice" adopted by the Arizona Chapter of the American Society of Home Inspectors, Inc. on January 1, 2002, the provisions of which are incorporated by reference and on file with the Office of the Secretary of State. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
- B. A Certified Home Inspector shall not:
 1. Pay or receive, directly or indirectly, in full or in part, a commission or compensation as a referral or finder's fee;
 2. Perform, or offer to perform, for an additional fee, any repairs to a structure that has been inspected by that inspector or the inspector's firm for a period of twenty-four months following the inspection; or
 3. Be accompanied by more than four home inspector candidates while conducting any parallel home inspection.

Historical Note

New Section made by emergency rulemaking at 8 A.A.R. 1102, effective February 19, 2002 for 180 days (Supp. 02-1). Emergency rulemaking amended and renewed for an additional 180 days under A.R.S. § 41-1026(D) at 8 A.A.R. 3842, effective August 14, 2002 (Supp. 02-3). Emergency expired; new Section made by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

R4-30-302. Electrical Plans

- A. A registrant shall prepare and submit drawings and specifications for a new electrical system or an addition or modification to an existing electrical system provided the service and associated electrical feeders exceeds 600 amperes 120/240 volts,

single phase or 225 amperes 120/208 volts, three phase and the fault current exceeds 10,000 amperes.

B. In all cases a registrant shall design:

1. Electrical installations in hospitals or other buildings with surgical operating rooms regulated by Article 517 of the National Electrical code (1990 edition) incorporated herein by reference and on file with the Office of the Secretary of State.
2. Electrical installations in locations classified as hazardous in Article 500 of the National Electrical Code (1990 edition) incorporated herein by reference and on file with the Office of the Secretary of State.
3. Electrical installations in locations classified as hazardous in Article 500 of the National Electrical Code (1990 edition) with the exception of gasoline dispensing or repair garages.
4. A registrant shall design an alarm or signaling system that is required for life safety or code compliance.

Historical Note

Adopted effective December 18, 1991 (Supp. 91-4).

Heading amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

R4-30-303. Securing Seals

- A.** Each registrant required to use a seal shall secure and use an ink seal 1 1/2 inches in diameter and identical in style, size, and appearance to the sample shown in Appendix A. The upper portion of the annular space between the second and third circles shall bear whichever of the following phrases is applicable to the registrant:
1. "Registered Architect"; "Registered Professional Engineer" together with the branch of engineering in which registered; "Registered Geologist"; "Registered Landscape Architect"; "Registered Land Surveyor"; or "Registered Assayer."
 2. The inscription "Arizona U.S.A." shall appear at the bottom of the annular space between the second and third circles; the inner circle shall contain the name of the registrant, registration number, and the words "date signed."
- B.** The registrant may order the seal through any vendor and shall pay the cost of its manufacture. Immediately upon receipt of the seal and before using the seal for any purpose, the registrant shall file with the Board, for its records, on a form provided by the Board, an imprint of the seal with an original signature superimposed over it and an affidavit regarding the use of the seal. The Board, within 10 working days of receipt of the form from the registrant, shall disapprove any seal that does not meet the exact specifications of subsection (A) and require that the registrant obtain and pay for another seal that meets those specifications before sealing any work. Engineers registered in more than one branch shall secure and use a seal for each branch of engineering in which registration has been granted.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).

Amended effective December 18, 1991 (Supp. 91-4).

Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-304. Use of Seals

- A.** A permanently legible imprint of the registrant's seal and signature shall appear on the following:
1. Each sheet of drawings or maps;
 2. Each of the master sheets when reproduced into a single set of finished drawings or maps;

3. Either the cover, title, index page, or first sheet of each set of project specifications;
4. The cover, index page, or first sheet of addenda or change orders to specifications;
5. The cover, index page, or first sheet of bound details when prepared to supplement project drawings or maps;
6. The cover, index, table of contents page, or first sheet of reports, specifications, and other professional documents prepared by a registrant or the registrant's bona fide employee; and
7. Shop drawings requiring professional services or work as described in the Act. Examples of shop drawings not requiring seals are those showing only:
 - a. Sizing and dimensioning information for fabrication purposes;
 - b. Construction techniques or sequences;
 - c. Components with previous approvals or designed by the registrant of record; or
 - d. Modifications to existing installations not affecting the original design parameters and which do not require additional computations.

- B.** A label describing the name of the project and an original imprint of the registrant's seal and signature shall be applied to all video cassettes containing copies of professional documents.
- C.** If a professional document is stored, filed, or provided to a client, regulatory body or any other person for any reason by computer disk, tape, cd, or any other electronic form, the registrant shall mark each professional document "electronic copy of final document, original sealed document with" and identify the registrant's name and registration number.
- D.** A registrant shall sign, date, and seal a professional document:
1. Before the document is submitted to a client, contractor, any regulatory or review body, or any other person, unless the document is marked "preliminary," "draft," or "not for construction"; and
 2. In all cases, if the document is prepared for the purpose of dispute resolution, litigation, arbitration, or mediation.
- E.** For purposes of subsection (A) all original documents shall include:
1. An original seal imprint or a computer-generated seal that matches the seal on file at the Board's office;
 2. An original signature that does not obscure either the registrant's printed name or registration number; and
 3. The date the document was sealed.
- F.** Methods of transferring a seal other than an original seal imprint or a computer-generated seal are not acceptable.
- G.** An electronic signature, as an option to a permanently legible signature, in accordance with A.R.S. Title 41 and Title 44, is acceptable for all professional documents. The registrant shall provide adequate security regarding the use of the seal and signature.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).

Amended effective December 18, 1991 (Supp. 91-4).

Amended effective May 1, 1995 (Supp. 95-2). Amended by final rulemaking at 6 A.A.R. 1018, effective February 25, 2000 (Supp. 00-1). Amended by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-305. Drug Laboratory Site Remediation Best Standards and Practices

- A.** Preliminary procedures.

Board of Technical Registration

1. The nature and extent of damage and contamination of the residually contaminated portion of the real property shall be determined.
 2. The on-site supervisor shall request copies of any law enforcement, state agency, or other report regarding the nature and extent of illegal drug activity, evidence of what materials were removed from the real property and the location from which they were removed.
 3. The on-site supervisor shall:
 - a. Evaluate all information obtained regarding the nature and extent of damage and contamination;
 - b. Develop procedures to safely enter the residually contaminated portion of the real property in order to conduct a visual assessment;
 - c. Wear the appropriate personal protective equipment for the condition(s) assessed;
 - d. Visually inspect the residually contaminated portion of the real property; and
 - e. Be assisted by at least one on-site worker during the initial entry into the residually contaminated portion of the real property.
 4. The on-site supervisor shall conduct and document appropriate testing for corrosive, flammable, combustible, and toxic atmospheres during the initial entry in the residually contaminated portion of the real property, such as a LEL/O₂ meter, pH paper, PID, FID, or equivalent equipment.
 5. If there was a fire or explosion in the residually contaminated portion of the real property which appears to have compromised its structural integrity, the drug laboratory site remediation firm shall obtain a structural assessment of the residually contaminated portion of the real property.
 6. The drug laboratory site remediation firm shall prepare a written work plan that contains:
 - a. Complete identifying information of the real property, such as street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home; registration number of the drug laboratory site remediation firm, name and certification number of the on-site supervisor and on-site workers that will be performing remediation services on the residually contaminated portion of the real property;
 - b. Copies of the current certification of the on-site supervisor and on-site workers that will be performing remediation services on the residually contaminated portion of the real property;
 - c. Photographs or drawings, and a written description of the residually contaminated portion of the real property that depicts the location and type of any residual contamination;
 - d. A description of the personal protective equipment to be used at the residually contaminated portion of the real property;
 - e. The health and safety procedures that will be followed in performing the remediation of the residually contaminated portion of the real property;
 - f. A list of emergency contacts and telephone numbers;
 - g. The route and location of the nearest hospital with emergency service facilities;
 - h. A detailed summary of the work to be performed by the drug laboratory site remediation firm including:
 - i. Any and all materials or articles to be removed or cleaned;
 - ii. All procedures to be employed to remove the residual contamination;
 - iii. All processes used to cover or encapsulate contaminants;
 - iv. All procedures for decontamination or disposal of contaminated materials;
 - v. All containment and negative pressure enclosure plans; and
 - vi. Personnel decontamination procedures to be used;
 7. The written work plan shall be:
 - a. Approved in writing by the owner of the real property or the owner's agent;
 - b. Submitted to the county health department of the county in which the property is located; and
 - c. Retained by the drug laboratory site remediation firm for a minimum of three years.
- B. Remediation procedures for the residually contaminated portion of the real property.**
1. All clandestine drug laboratory site remediation firms, on-site supervisors, and on-site workers shall comply with all applicable federal, state, municipal, and local laws, rules, ordinances, and regulations during the remediation of the residually contaminated portion of the real property.
 2. An on-site supervisor shall be present on the residually contaminated portion of the real property during the performance of remedial services.
 3. On-site workers or on-site supervisors shall conduct the removal of the contamination from the residually contaminated portion of the real property, except for porous materials from areas not highly suggestive of contamination that may be cleaned by a dry cleaning or laundry service.
 4. Procedures for areas highly suggestive of contamination:
 - a. All porous materials such as carpets, draperies, bedding, fabric covered furniture, drop ceilings, clothing, and related items, shall be removed and properly disposed of.
 - b. All stained materials from the laboratory operations including wall board (sheet rock), wood furniture, wood flooring, and tile flooring shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule. If cleaned, the materials shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.
 - c. All non-porous surfaces, such as bathtubs, toilets, mirrors, windows, tile flooring, counter-tops, and sinks, may be cleaned to the point of stain removal and left in place or removed and properly disposed of. If cleaned, these surfaces shall be washed with a detergent and water solution and then thoroughly

- rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.
- d. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed, or may be removed and properly disposed of. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water; and
 - e. All appliances shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule. If cleaned, the appliances shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.
5. Procedures for areas not highly suggestive of contamination.
- a. All porous materials such as carpets, draperies, bedding, fabric covered furniture, clothing, and related items shall be removed and properly disposed of, except for porous drop ceilings, which shall be HEPA vacuumed and left in place. At the owner's discretion, all or some porous materials with no evidence of staining may be cleaned by HEPA vacuuming and one of the following methods:
 - i. Steam cleaning: Hot water and detergent shall be injected into the porous materials under pressure to agitate and loosen any contamination. The water and detergent solution shall then be extracted from the porous material by a wet vacuum.
 - ii. Chemical dry cleaning: Porous materials that cannot be washed with detergent and water shall be dry cleaned using a liquid solvent dry cleaning solution in a dry cleaning machine for at least 15 minutes.
 - iii. Detergent and water solution: Porous materials shall be washed in a washing machine with detergent and water for at least 15 minutes. The porous materials shall be rinsed with water.
 - iv. If any porous materials are removed from the real property for cleaning, the materials shall be HEPA vacuumed, and the cleaning facility shall be notified in writing, by the drug laboratory site remediation firm, that the materials being cleaned are from a clandestine drug laboratory.
 - b. All non-porous surfaces such as floors, walls, ceilings, mirrors, windows, doors, appliances, and non-fabric furniture shall be thoroughly HEPA vacuumed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using a new detergent solution and rinse water.
 - c. Doors or other openings to areas with no visible contamination shall be cordoned off from all other areas with at least 4-mil plastic sheeting after being cleaned, to avoid re-contamination during further remediation of the residually contaminated portion of the real property.
 - d. Spray-on acoustical ceilings shall be left undisturbed, and shall be sampled and tested for asbestos and for residual contamination to determine whether ceilings meet the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule. If the post-remediation clearance levels are exceeded, these materials shall be properly removed and properly disposed of.
- e. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.
6. Structural Integrity and Security Procedures. If, as a result of the remediation, the structural integrity or security of the real property is compromised, the drug laboratory site remediation firm shall take measures to remedy the structural integrity or security of the real property.
7. Ventilation Cleaning Procedures.
- a. Air registers shall be removed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.
 - b. Temporary filter media shall be attached to air register openings.
 - c. A fan-powered HEPA filter collection machine shall be connected to the ductwork to develop negative air pressure in the ductwork.
 - d. Air lances, mechanical agitators, or rotary brushes shall be inserted into the ducts through the air register openings to loosen all dirt, dust and other loose materials.
 - e. The air handler unit, including the return air housing, coils, fan(s), system(s), and drip pan, shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.
 - f. All porous linings or filters in the ventilation system shall be removed and properly disposed of.
 - g. The ventilation system shall be sealed off at all openings with at least 4-mil plastic sheeting to prevent recontamination until the residually contaminated portion of the real property meets the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule.
8. Procedures for Plumbing, Septic, Sewer, and Soil.
- a. All plumbing inlets to the septic/sewer system, including but not limited to sinks, floor drains, bath tubs, showers, and toilets, shall be visually assessed for any staining or other visible residual contamination. All plumbing traps shall be assessed for VOC concentrations with a PID or FID, and for mercury vapors, by using a mercury vapor analyzer. If VOC concentrations or mercury vapor concentrations exceed the post-remediation clearance levels contained in subsections (C)(2) and (C)(3) of this rule, the accessible plumbing and traps where the excess levels are found shall be removed and properly disposed of, or shall be cleaned and tested to meet the post-remediation clearance levels contained in R4-30-305(C)(2) and (C)(3).
 - b. The on-site supervisor shall determine if the dwelling is connected to a local sewer system or to an on-site septic system. If the dwelling is connected to an on-site septic system, a sample of the septic tank liquids shall be obtained and tested for VOC concentrations.

- i. If VOCs are not found in the septic tank sample or are found at concentrations less than AWQS or less than 700 micrograms per liter (mg/l) for acetone, no additional work is required in the septic system area, unless requested by the owner of the real property.
 - ii. If VOCs are found in the septic tank at concentrations exceeding the AWQS or exceeding 700 mg/l for acetone the following shall apply:
 - (1) The discharge area such as the leach field, seepage pit, and evaporation mounds shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer;
 - (2) The septic system discharge area shall be investigated for VOCs and unless there is clear evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD or ecstasy at the clandestine drug laboratory, the septic system discharge area shall also be investigated for mercury and lead;
 - (3) The vertical extent of any VOCs, mercury, and lead detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations, and the horizontal extent of the VOCs, mercury and lead shall be delineated to concentrations below each compound's SRL;
 - (4) If any of the VOCs, mercury, and lead used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall also be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer and the vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations below the AWQS or below 700 mg/l for acetone; and
 - (5) After complete characterization of the release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS or below 700 mg/l for acetone.
 - c. The on-site supervisor shall observe the real property for evidence of burn areas, burn or trash pits, debris piles or stained areas. The on-site supervisor shall test any burn areas, burn or trash pits, debris piles or stained areas with appropriate testing equipment, such as, a LEL/O2 meter, pH paper, PID, FID, mercury vapor analyzer or equivalent equipment.
 - i. If the burn areas, burn or trash pits, debris piles, or stained areas are not part of the residually contaminated portion of the real property, the drug laboratory site remediation firm shall recommend to the owner of the real property that these areas be investigated. If the owner advises the drug laboratory site remediation firm not to investigate these areas, the drug laboratory site remediation firm shall take appropriate action pursuant to R4-30-301.
 - ii. If the burn areas, burn or trash pits, debris piles or stained areas are part of the residually contaminated portion of the real property, these areas shall be investigated and remediated by the drug laboratory site remediation firm.
 - (1) Any wastes remaining from the operation of the clandestine drug laboratory or other wastes impacted by compounds used by the clandestine drug laboratory shall be characterized, removed, and properly disposed of.
 - (2) Any potentially impacted soil and/or groundwater shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer.
 - (3) The burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for the VOCs used by the drug laboratory. Unless there is clear evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, the burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for lead and mercury.
 - (4) The vertical extent of any VOCs, lead, or mercury detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations. The horizontal extent of these compounds shall be delineated to concentrations below each compound's SRL.
 - (5) If any of the compounds used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall also be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer. The vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations below the AWQS and below 700 mg/l for acetone.
 - (6) After complete characterization of the release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS and below 700 mg/l for acetone.
9. Waste Characterization and Disposal Procedures.
 - a. All items removed from the clandestine drug laboratory remediation site, and waste generated during the remediation work, shall be properly characterized and properly disposed of.
 - b. All suspect asbestos-containing building materials shall be properly sampled and tested for asbestos prior to disturbance or removal.
 - c. All waste shall be properly characterized by sampling and testing, or the waste shall be considered hazardous waste and properly disposed of pursuant to the applicable law, except the waste shall not be deemed to be household hazardous waste.

- d. The drug laboratory site remediation firm shall comply with all federal, state, municipal, county laws, codes, ordinances and regulations pertaining to waste transportation and disposal.

C. Post-Remediation Testing Procedures.

1. Post-remediation sampling shall be conducted under the direct supervision of a Certified Industrial Hygienist, a Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer. The individual taking the samples shall have experience with the remediation of hazardous substances, with confirmation sampling of remedial projects, and with evaluating health risks and exposures to chemicals. All sampling used to verify that no additional removal or cleaning is required shall be conducted under the direct supervision of a Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist or an Arizona-registered engineer. All sample locations shall be photographed for documentation purposes, and these photographs shall be included in the final report.
2. The drug laboratory site remediation firm shall conduct sampling and testing for all of the compounds listed below. All remediated areas and materials shall meet the following post-remediation clearance levels:

Compound	Remediation Standard
Red Phosphorus	Removal of stained material or cleaned pursuant to these standards
Iodine Crystals	Removal of stained material or cleaned pursuant to these standards
Methamphetamine	0.1 µg Methamphetamine/100 cm ²
Ephedrine	0.1 µg Ephedrine/100 cm ²
Pseudoephedrine	0.1 µg Pseudoephedrine/100 cm ²
VOCs in Air	VOC air monitoring < 1 ppm
Corrosives	Surface pH of 6 to 8
LSD	0.1 µg LSD/100 cm ²
Ecstasy	0.1 µg Ecstasy/100 cm ²

3. The drug laboratory site remediation firm shall conduct sampling and testing for all of the metals listed below in all cases except where there is clear evidence that these metals were not used in the manufacturing of methamphetamine, LSD, or ecstasy at the drug laboratory:

Compound	Remediation Standard
Lead	4.3 µg Lead/100 cm ²
Mercury	3.0 µg Mercury/m ³ air

4. All sampling and testing shall be conducted in accordance with the following procedures:
 - a. All sample locations shall be photographed, and the photographs shall be included in the final report.
 - b. All sample locations shall also be shown on a floor plan of the residually contaminated portion of the real property, and the floor plan shall be included in the final report.
 - c. All samples shall be obtained from areas representative of the materials or surfaces being tested. All samples shall be obtained, preserved, and handled in accordance with industry standards for the types of

samples and analytical testing to be conducted and maintained under chain-of-custody protocol.

- d. The individual conducting the sampling shall wear a new pair of gloves to obtain each sample.
- e. All reusable sampling equipment shall be decontaminated prior to sampling.
- f. All testing equipment shall be properly equipped and calibrated for the types of compounds to be analyzed.
- g. Methamphetamine, ephedrine, pseudoephedrine, ecstasy, and/or LSD sampling and testing:
 - i. Whatman 40 ashless filter paper or equivalent shall be used for all wipe sampling. The filter paper shall be wetted with analytical grade methanol for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area, and the three filter papers combined for analytical testing.
 - ii. Three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from each room of the residually contaminated portion of the real property. The three samples shall be obtained from the non-porous floor, one wall, and the ceiling in each room.
 - iii. Three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from different areas of the ventilation system.
 - iv. If there is a kitchen in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from a combination of the counter top, sink, or stove top, and from the floor in front of the stove top.
 - v. If there is a bathroom in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm²) shall be wipe sampled from a combination of the counter top, sink, toilet, and the shower/bath tub.
 - vi. If there are any cleaned appliances in the residually contaminated portion of the real property, one 10 cm x 10 cm area (100 cm²) shall be wipe sampled from the exposed portion of each appliance. If multiple appliances are present, each wipe sample may be a composite of up to three 100 cm² areas on three separate appliances.
 - vii. After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an analytical laboratory licensed in any state in the United States to perform GC/MS testing. The sample shall be analyzed for methamphetamine, ephedrine, pseudoephedrine, LSD, and/or ecstasy, depending upon the type of clandestine drug laboratory, using a GC/MS instrument, or equivalent.
- h. VOC sampling and testing procedures:

- i. A properly calibrated PID or FID capable of detecting VOCs shall be used for testing. The background concentration of VOCs shall be obtained by testing three exterior areas outside the limits of the residually contaminated portion of the real property and in areas with no known or suspected sources of VOCs. All VOC readings shall be recorded for each sample location.
 - ii. At least three locations in each room of the residually contaminated portion of the real property shall be tested for VOC readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading; and
 - iii. All accessible plumbing traps shall be tested for VOCs by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.
 - i. pH testing procedures:
 - i. Surface pH measurements shall be made using deionized water and pH test strips with a visual indication for a pH between 6 and 8. The pH reading shall be recorded for each sample location.
 - ii. For horizontal surfaces, deionized water shall be applied to the surface and allowed to stand for at least three minutes. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.
 - iii. For vertical surfaces, a Whatman 40 ashless filter paper or equivalent filter paper shall be wetted with deionized water and wiped over a 10 cm x 10 cm area at least five times in two perpendicular directions. The filter paper shall then be placed into a clean sample container and covered with deionized water. The filter and water shall stand for at least three minutes prior to testing. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.
 - iv. pH testing shall be conducted on at least three locations in each room within the areas with visible contamination and within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property.
 - j. Lead Sampling and Testing Procedures:
 - i. Unless there is clear evidence that lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, lead sampling shall be conducted as follows:
 - (1) Whatman 40 ashless filter paper or equivalent shall be used for wipe sampling. The filter paper shall be wetted with analytical grade 3% nanograde nitric acid for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area and the three filter papers combined for analytical testing;
 - (2) Three 10 cm x 10 cm areas (100 cm²) shall be sampled in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property; and
 - (3) After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be properly labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory.
 - ii. The sample shall be analyzed for lead using EPA Method 6010B or equivalent.
 - k. Mercury Sampling and Testing Procedures:
 - i. A properly calibrated mercury vapor analyzer shall be used for evaluating the remediated areas for the presence of mercury. All mercury readings shall be recorded for each sample location.
 - ii. At least three locations in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property shall be tested for mercury vapor readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading.
 - iii. All accessible plumbing traps shall be tested for mercury by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.
 - l. Septic Tank Sampling and Testing Procedures:
 - i. The liquid in the septic tank shall be sampled with a new clean bailer or similar equipment.
 - ii. The liquid shall be decanted or poured with minimal turbulence into three new VOA vials properly prepared by the laboratory.
 - iii. The VOA vials shall be filled so that there are no air bubbles in the sealed container. If air bubbles are present, the vial must be emptied and refilled;
 - (1) The sample vials shall be properly labeled with at least the date, time, and sample location;
 - (2) The sample vials shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory; and
 - (3) The sample shall be analyzed for acetone and methanol using EPA Method 8015B or equivalent.
- D. Final report.**
- 1. A final report shall be:
 - a. Prepared by the drug laboratory site remediation firm;
 - b. Submitted to the owner of the remediated property and the county health department of the county in which the property is located; and
 - c. Retained by the firm for a minimum of three years.
 - 2. The final report shall include the following information and documentation:

- a. Complete identifying information of the real property, such as street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home, registration number of the drug laboratory site remediation firm, name and certification number of the on-site supervisor, and name and certification numbers of the on-site workers that performed the remediation services on the residually contaminated portion of the real property;
 - b. A summary of the remediation services completed on the residually contaminated portion of the real property, and any deviations from the approved work plan;
 - c. Photographs documenting the remediation services and showing each of the sample locations, and a drawing or sketch of the residually contaminated areas that depict the sample locations;
 - d. A copy of the sampling and testing results for VOCs and mercury, a copy of any asbestos sampling and testing results, a copy of the laboratory test results on all samples, and a copy of the chain-of-custody protocol documents for all samples from the residually contaminated portion of the real property;
 - e. A summary of the waste characterization work, any waste sampling and testing results, and transportation and disposal documents, including but not limited to, bills of lading, weight tickets, and manifests for all materials removed from the real property;
 - f. A summary of the on-site supervisor's observation and testing of the real property for evidence of burn areas, burn or trash pits, debris piles, or stained areas;
 - g. A copy of any reports provided to the drug laboratory site remediation firm or prepared by the Certified Industrial Hygienist, Certified Safety Professional, an Arizona-registered geologist, and an Arizona-registered engineer; and
 - h. A statement that the residually contaminated portion of the real property has been remediated in accordance with these standards.
3. Within 24 hours after the final report described in subsection (D)(1) of this Article has been prepared, the drug laboratory site remediation firm shall deliver, or send by certified mail, a copy of the final report to those individuals and entities identified in A.R.S. § 12-1000(A)(2), or a separate document stating that the residually contaminated portion of the real property has been remediated pursuant to A.R.S. § 12-1000(D).

Historical Note

New Section made by exempt rulemaking at 9 A.A.R. 1412, effective April 15, 2003 (Supp. 03-2). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

R4-30-306. Securing and Using Identifying Markers

- A. Registered land surveyors shall obtain at their expense identifying markers such as tags, caps, or embossed nails which shall show the registrant's Arizona Registration Number as issued by the Board, and each registration number shall be prefixed by the letters L.S.
- B. Registered land surveyors shall securely attach an identifying marker to every permanent survey point set when making land boundary surveys.

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).

R4-30-307. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Repealed effective December 18, 1991 (Supp. 91-4).

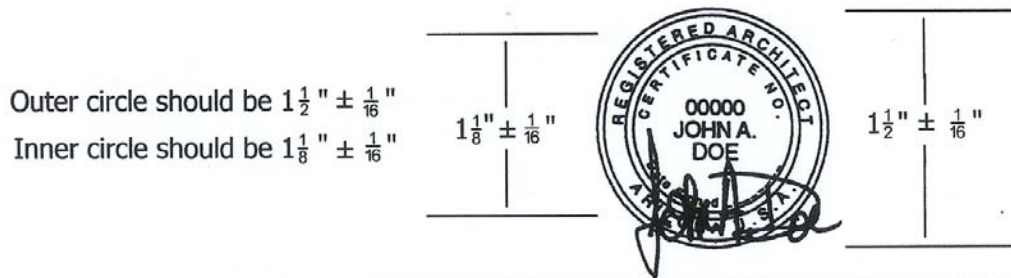
Appendix A. Sample Seals

SAMPLES:

Sign your name across lower portion of the seal. Do not cover your name or registration number with your signature.



** ENGINEERS MUST LIST BRANCH – Agriculture, Chemical, Civil, Control Systems, Electrical, Environmental, Fire Protection, Geological, Industrial, Mechanical, Mining, Nuclear, Petroleum, Sanitary, or Structural



Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Amended effective December 18, 1991 (Supp. 91-4). Appendix repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.C. 2798, effective August 7, 2004 (Supp. 04-2).

Appendix B. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Appendix repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

Appendix C. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4). Appendix repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

Appendix D. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).

Amended effective December 18, 1991 (Supp. 91-4).
Appendix repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

Appendix E. Repealed

Historical Note

Adopted effective August 3, 1983 (Supp. 83-4).
Amended effective December 18, 1991 (Supp. 91-4).
Appendix repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).

Appendix F. Repealed

Historical Note

Adopted effective December 18, 1991 (Supp. 91-4).
Appendix repealed by final rulemaking at 9 A.A.R. 791, effective February 12, 2003 (Supp. 03-1).